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Letter dated 15 April 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

In view of the upcoming consultations at the Security Council on the report of the Secretary-General on the implementation of the Comprehensive Peace Agreement, I have the honour to transmit to you and through you to the esteemed members of the Security Council, the latest updated progress report on the implementation of the Comprehensive Peace Agreement as of 9 April 2009. The report reflects the remarkable progress achieved in the different aspects of the implementation of the Comprehensive Peace Agreement (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Abdalmahmood **Abdalhaleem Mohamad**
Permanent Representative

09-30547 (E) 200409

Please recycle

Annex to the letter dated 15 April 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council*

[Original: Arabic and English]

Progress report on the implementation of the Comprehensive Peace Agreement

* The annex is being circulated in the languages of submission only.

جمهورية السودان
رئاسة الجمهورية

التقدم في مسار تنفيذ اتفاق السلام الشامل (CPA)

(تخطيط وتنفيذ اتفاق السلام بقية جعل وحدة السودان خياراً جاذبا)

بروتوكول مشاكوس

٢٠/يوليو ٢٠٠٢، (الجزء أ: ١. ٥. ٥)

المحتويات

التقدم في تنفيذ اتفاق السلام الشامل والشراكة السياسية:-

- اتفاق قسمة السلطة.
- اتفاق قسمة الثروة.
- اتفاق جنوب كردفان والنيل الأزرق.
- بروتوكول أبيي .
- الترتيبات العسكرية والأمنية.
- الشراكة السياسية بين حزب المؤتمر الوطني والحركة الشعبية.
- مشروعات مشتركة (من التمويل القومي والدولي).

اتفاق قسمة السلطة

(١) المؤسسات الدستورية التشريعية، التنفيذية والقضائية:

- إجازة الدستور القومي الانتقالي (ICN).

ماتم أنشاؤه:

- مؤسسة الرئاسة .
- حكومة الوحدة الوطنية (GONU) .
- المجلس الوطني (NA)
- مجلس الولايات (COS) .
- حكومة جنوب السودان (GOSS) .
- المجلس التشريعي لجنوب السودان (SSLA).
- المجالس الولائية.
- الحكومات الولائية.
- المحكمة الدستورية .
- المؤسسات القضائية القومية في جنوب السودان والولايات.

(٢) المفوضيات القومية والمجالس واللجان:-

(أ) ماتم أنشاؤه -

- المفوضية القومية للمراجعة الدستورية (NCRC).
- مفوضية التقويم والتقدير (AEC).
- المفوضية القومية للخدمة القضائية (NJSC).
- المفوضية القومية للخدمة المدنية (NCSC).
- اللجنة الفنية للحدود (TBC) لترسيم حدود ١٩٥٦/١/١م بين شمال وجنوب السودان.
- المجلس القومي للتعداد السكاني – اكتمال عملية التعداد (يجري الآن إعداد النتائج وتحليلها).
- المفوضية الخاصة بمراعاة حقوق غير المسلمين بالعصمة القومية .
- مجلس الأمن القومي (NSC).
- جهاز الأمن القومي بما في ذلك الأفرع في الولايات.
- مجلس شئون الأحزاب السياسية .
- المفوضية القومية للانتخابات (NEC).
- مجلس تطوير وترقية اللغات القومية .

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(٢) المفوضيات القومية والمجالس واللجان:-

(ب) تحت الإنشاء:-

- مفوضية حقوق الإنسان (HRC) - إجازة التشريع بواسطة المفوضية القومية للمراجعة الدستورية ومجلس الوزراء .
- المفوضية القومية للأراضي (NLC) - إجازة التشريع بواسطة المفوضية القومية للمراجعة الدستورية ومجلس الوزراء .تم رفع مسودة التشريع للمجلس الوطني .

(ج) مراجعة القوانين القومية:

- حتى تتوافق مع الدستور القومي الانتقالي.
- تمت إجازة الكثير منها بواسطة المجلس الوطني وتستكمل إجراءات البعض الآخر بما في ذلك قانون الأمن الوطني حيث اكتمل التفاهم حوله بين الشريكين قبل رفعه لمرحلة الإجراءات التشريعية أما قانون والإعلام والصحافة فقد تمت إجازته بواسطة مجلس الوزراء . كما أجاز المجلس قانون الإجراءات الجنائية والمدنية تعديل لسنة ٢٠٠٩م .

(د) الانتخابات:

- تجري الاستعدادات لقيام انتخابات نزيهة وحرة وشفافة في عام ٢٠٠٩م، وتشمل هذه الانتخابات انتخاب رئيس الجمهورية، المجلس الوطني، مجلس الولايات (عن طريق المجالس التشريعية الولائية المنتخبة)، رئيس حكومة جنوب السودان، المجلس التشريعي لجنوب السودان، مجالس الولايات، وحكام الولايات.
- أجاز المجلس الوطني قانون الانتخابات.
- تم تكوين مفوضية الانتخابات القومية (بموجب القانون) .
- أعلنت مفوضية الانتخابات القومية شهر فبراير ٢٠١٠ موعد استكمال عملية الانتخابات القومية .
- سبق ذلك نشر قائمة العملية الانتخابية بكافة مراحلها ومستوياتها .
- قيام مجلس شئون الأحزاب السياسية وباشر مهامه بتسجيل الأحزاب لتمهيد الطريق أمام عملية الانتخابات .
- يجري العمل لإعلان نتائج التعداد السكاني (تحديد الدوائر الجغرافية) تم استكمال الإعمال الفنية وتمت إجازته بواسطة المجموعة الفنية وسوف ترفع عجلاً الإحصاء ومن ثم للرئاسة للموافقة النهائية ..

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(هـ) العودة الطوعية وإعادة التوطين:-

- قيام لجنة مشتركة رفيعة المستوى (حكومة الوحدة الوطنية/ حكومة جنوب السودان) لوضع السياسات ولمراقبة الأنشطة الخاصة بإعادة توطين نازحي الداخل (IDPs) ولعودة النازحين (جنوب السودان، ولاية النيل الأزرق، جنوب كردفان).
- بالتعاون مع وكالات الأمم المتحدة والمجتمع الدولي.
- توقيع اتفاقيات مع دول الجوار المعنية لتسهيل عمليات العودة.

اتفاق قسمة الثروة:

(١) المفوضيات القومية والمجالس واللجان:-

ماتم أنشاؤه:

- صندوق الإيرادات القومي (NRF)/ الخزينة القومية.
- مفوضية تخصيص ومراقبة الإيرادات المالية (FFAMC) للتأكد من سرعة تحويل الاعتمادات من صندوق الإيرادات القومي لمستويات الحكم القومي، جنوب السودان وحكومات الولايات استناداً إلي اتفاق قسمة الثروة بين الشمال والجنوب وأيضاً صيغة الاعتمادات السنوية المتفق عليها بين المستويات القومية ودون القومية (الرأسية والأفقية).
- إنشاء الصندوق القومي للإعمار والتنمية (من أجل إعادة التأهيل وإعادة الإعمار وتنمية المناطق المتأثرة بالحرب والمناطق الأقل نمواً في الشمال).
- المفوضية القومية (رئاسة مشتركة) للبترول (NPC) لرسم السياسات العامة والموجهات المتعلقة بتنمية وإدارة قطاع البترول ومراقبة التنفيذ.

- اللجنة الفنية المشتركة (JTC) لحساب وتوزيع ومراقبة إنتاج النفط وصافي أنصبة حكومة الوحدة الوطنية (GONU) وحكومة جنوب السودان (GOSS) والولايات المنتجة علي أساس شهري. وتبلغ متأخرات نصيب حكومة جنوب السودان حتي يناير ٢٠٠٩م ٢٦٩.٩٧ مليون دولار سوف تتم إزالتها قريباً .
- اللجنة المشتركة للإيرادات غير النفطية لتأكيد التحصيل في جنوب السودان بما في ذلك الجمارك والضرائب القومية وغيرها.
- أثرت الأزمة الاقتصادية العالمية إضافة إلى انخفاض أسعار البترول سلبياً على دخول حكومة الوحدة الوطنية وحكومة جنوب السودان .

بنك السودان المركزي (CBOS):

- إعادة تكوين مجلس الإدارة وتعيين نائب المحافظ من جنوب السودان.
- إنشاء النظام المصرفي المزدوج (إسلامي وتقليدي).
- إنشاء فرع البنك المركزي في جنوب السودان (BOSS).
- أصدر عملة جديدة (الجنيه السوداني) وتم استبدال العملة القديمة في يسر (تمويل الإصدار تم بواسطة الحكومة القومية بسبب تباطؤ المانحين في الوفاء بالتزاماتهم).

صناديق المانحين متعددة الأغراض (MDTFs):

- تم إنشاء الفريق الانتقالي القومي المشترك (JNTT) منذ إنفاذ الفترة قبل الانتقالية من أجل تنسيق أعمال بعثة التقييم المشتركة التي توصلت إلي تحديد مشروعات إعادة الإعمار والتنمية علي المستوى القومي وجنوب السودان والمناطق المتأثرة بالحرب.
- تم إنشاء صندوقين للمانحين (أحدهما للمستويات القومية والآخر لجنوب السودان).
- انعقد اجتماع المانحين الأول في أوسلو منذ الفترة قبل الانتقالية.
- تمت إعادة تشكيل الفريق الانتقالي القومي المشترك لاستمرار السعي لمتابعة نتائج اجتماعات المانحين ومتابعة المساعدات الدولية ذات الصلة بعملية السلام بصورة أشمل.
- انعقاد لاجتماعين الثاني والثالث للمانحين في باريس والخرطوم.

- مؤخراً انعقد الاجتماع الرابع للمانحين في أوسلو.

اتفاق ولايتي النيل الأزرق وجنوب كردفان

- **إجازة دستوري الولايتين.**

مأتم أنشاؤه:

- المجلسان التشريعيان للولايتين وفق صيغة اتفاق قسمة السلطة المضمنة في الاتفاق.
- حكومتا الولايتين وفق صيغة قسمة السلطة المضمنة في الاتفاق (تنفيذ دورة تعيين الولاة من الشريكين بالتناوب).
- النظام القضائي الولائي.
- لجنتي الأمن في الولايتين
- مفوضيتا التقويم والتقدير الخاصتين بالولايتين.

بروتوكول أبيي

- لم يتفق الطرفان حول التقرير الذي أصدره خبراء لجنة حدود أبيي (ABC) فيما يتعلق بتعريف منطقة أبيي (١٩٠٥م) الأمر الذي أعاق إنشاء الإدارة الخاصة بابيي ذات الوضع الخاص (مرتبطة بالرئاسة حسب البروتوكول).
- اتفق الطرفان في مايو ٢٠٠٦م علي أربعة خيارات لحل للخلاف (اتفاق سياسي أو النظر بواسطة المحكمة الدستورية أو التحكيم أو دعوة الخبراء للدفاع عن تقريرهم).
- ثم انخرط الطرفان في تفاوض سياسي ممتد لقيام إدارة مؤقتة لمنطقة محددة ريثما يتم الاتفاق على تسوية المسألة بصورة نهائية.
- وقبل الانتهاء من وضع الترتيبات المؤقتة المرجوة، وقعت مجابهة مسلحة في مايو ٢٠٠٨م في المنطقة .
- تمكن الطرفان من احتواء الوضع الأمني عن طريق اتفاق تم توقيعه داخل المفوضية السياسية لوقف إطلاق النار يدعو إلي وقف التصعيد العسكري، وإلي قيام إدارة مدنية مشتركة مؤقتة إضافة إلي القيام بجهود إنسانية، وكذلك مناشدة الرئاسة للإسراع في التوصل إلي حل سلمي نهائي إضافة إلي تكليف اللجنة العسكرية المشتركة (CJMC) بالتحقيق في الأحداث.

- تمكن الطرفان من التوصل الى حل سياسي (يونيو ٢٠٠٨م) تم بموجبه تعريف منطقة مؤقتة تقوم عليها إدارة مؤقتة للإشراف علي تنفيذ الترتيبات الأمنية وقسمة السلطة والثروة المتصلة ببروتوكول أبيي لفترة ستة أشهر (وتم تعيين رئيس الإدارة ونائبه من الطرفين).
- اتفق الطرفان على إنشاء صندوق للوحدة لدعم التنمية الاقتصادية والاجتماعية والبنيات الأساسية وكذلك دعم الخدمات في مجالات الصحة والتعليم والزراعة والبيطرة وذلك على طول المناطق المتداخلة بين الشمال والجنوب بغرض دعم السلام والاستقرار والوحدة الوطنية .
- اتفق الطرفان للوصول الى حل نهائي، على اللجوء الى التحكيم .
- وأحال الطرفان الأمر لمحكمة التحكيم الدائمة (PCA) على أن يختار كل طرف محكمين من أعضاء المحكمة.
- رشح الطرفان محكمين لكل منهما واختارت المحكمة محكما خامساً.
- تكتمل كافة عملية التحكيم خلال فترة لا تتجاوز الستة أشهر ،قابلة للتمديد لثلاثة أشهر أخري. .

الترتيبات العسكرية والأمنية

- مائتم إنشاؤه:
- إجازة قانون القوات المشتركة المدمجة (JIUs).
- مجلس الدفاع المشترك (JDB) وتتم رئاسته بصورة دورية.
- المفوضية السياسية لوقف إطلاق النار (CPC) رئاسة مشتركة وتضم، بالإضافة للطرفين، بعثة الأمم المتحدة لدعم السلام في السودان (البعثة العسكرية UNMIS)
- اللجنة العسكرية المشتركة لوقف إطلاق النار (CJMC) بما في ذلك لجان المناطق المشتركة (AJMCs).
- لجنة التعاون لمعالجة أوضاع المجموعات المسلحة الأخرى (OAG CC).
- المجلس القومي لتنسيق نزع السلاح والتسريح وإعادة الدمج (DDR) بما في ذلك مفوضيتي الشمال والجنوب.
- المجلس القومي لنزع الألغام (NDC).

- **إعادة الانتشار:-**
- **ستناداً إلي آخر تقرير للجنة العسكرية المشتركة لوقف إطلاق النار:-**
  - استكمال اعادة انتشار قوات الحركة الشعبية من شرق السودان .
  - إعادة انتشار القوات المسلحة من الجنوب الى الشمال بنسبة (٩٧,٥%).
  - إعادة انتشار قوات الحركة الشعبية من جنوب النيل الأزرق، وجنوب كردفان وابيي في شمال السودان الى الجنوب بنسبة (١٠,٨%).
- **نشر (انفتاح) القوات المشتركة المدمجة (JIUs):**
  - إعادة توزيعها في المناطق المخصصة في الجنوب والمناطق ذات الصلة في الشمال بنسبة (٨٥%).
  - تجرى حالياً الاستعدادات لتنفيذ التدريب الأساس المشترك وكذلك السكن المندمج .

SAF REDEPLOYMENT FROM SOUTHERN SUDAN

AS OF 27 OCT 08

Sect	Initial State	Total Redeployed from South a. Stated b. Verified	Sector JIU Deployment				Total Reduction Without Demobilization (c+g)	Red. Since Last CJMC	Voluntary Demob a. Stated b. Verified	Total Reduction including Demobilization (h+j)
			Total JIU Troops a. Stated b. Verified	Incorp. former OAG Members	SAF proper Deployed from North Not incl in the Initial State Verified	SAF proper in JIUs Incl in Initial State (d-e-f)				
a	b	c	d	e	f	g	h	i	j	k
I	17130	a. 10635*	a. 3817	913	706	2198	12833	-	a. 4297	17130 100%
		(b. 5163)	b. 3817			2198	12833		b. 4297	17130 100%
II	8979	a. 4993	a. 3256	282	0	2974	7967	-	a. 1012	8979 100%
		(b. 4993)	b. 2990			2708	7701		b. 1012	8713 97.0%
III	20294	a. 14478	a. 3862	983	1679	1200	15678	-	a. 3610	19288 95.0%
		(b. 14016)	b. 3683			1021	15499		b. 2889	19109 94.2%
Tot	46403	a. 30106	a. 10935	2178	2385	6372	36478 78.6%		a. 8919	45397 97.8%
		(b. 24172)	b. 10490			5927	36033 77.7%		b. 8198	44952 96.9%

SPLA REDEPLOYMENT FROM NORTHERN SUDAN AS OF 27 OCT 08

Sect	Initial State	Redeployed from North a. Stated b. Verified	Total JIU Troops a. Stated b. Verified	Total reduction without demob. (c+d)	Voluntary Demob/Non Combatants a. Stated b. Verified	Transferred to Police a. Stated b. Verified	Red. Since Last CJMC	Total Reduction Incl demobilization a. Stated b. Verified (c+d+f+g)
a.	b.	c.	d.	e.	f.	g.	h.	i.
IV	22601	a. 9243	a. 3031	12274 (54.3%)	a. 4902	a. 1500		18676 (82.6%)
		b. 1463 (3878)	b. 2186	3649 (16.1%)	0	0		3649 (16.1%)
V	35330	a. 2710	a. 2398	5108 (14.5%)	a. 4697	a. 834		10639 (30.1%)
		b. 656 (2005)	b. 1662	2318 (06.6%)	0	0		2318 (06.6%)
VI	1237	0	a. 320	320 (25.9%)	0	0		320 (25.9%)
		0	b. 306	306 (24.7%)	0	0		306 (24.7%)
Total	59168	a. 11953	a. 5749	17702 (29.9%)	a. 9599	a. 2334		29635 (50.1%)
		b. 2119	b. 4154	6273 (10.6%)	0	0		6273 (10.6%)

Eastern Sudan	Initial Strength	Redeployed	Moved to JIU	Deserters	Total
	8736	4313	1359	3064	8736

الشراكة السياسية بين المؤتمر الوطني والحركة الشعبية

- اتفق المؤتمر الوطني والحركة الشعبية علي آلية مشتركة للإسراع في تنفيذ اتفاقية السلام وكذلك تعزيز الشراكة السياسية. ويتضمن ذلك ما يلي:
- قيام اجتماعات سنوية مشتركة للمكتب القيادي للمؤتمر الوطني والمكتب السياسي للحركة الشعبية.
- اجتماعات ربعيه للجنة القيادية المشتركة المكونة من الطرفين.
- اجتماعات شهرية للجنة المتابعة السياسية المشتركة وتشكيل لجان فرعية لها (اقتصادية وسياسية وأمنية) ان دعا الحل.
- عقدت اللجنة القيادية المشتركة ولجنة المتابعة السياسية سلسلة من الاجتماعات وتضمنت النتائج التي تم التوصل إليها ما يلي:
- إنشاء إدارة مؤقتة لابيي.
- إنشاء لجنة تنفيذية قومية للوقوف علي أداء المؤسسات القومية في جنوب السودان وكذلك علاقات الربط بين المستوي القومي ومستوي جنوب السودان والولايات الجنوبية.
- إنشاء لجنة تنسيقية للإعلام والنشر.
- تم الاتفاق داخل اللجنة التنفيذية على عدة إجراءات لمسائل مضمنة فى الدستور القومي الانتقالي وبدأت إجراءات التنفيذ.

المشروعات المشتركة

تم إعدادها وتسويقها بواسطة الإطراف (الفريق الوطنى الانتقالي – JNTT)

الأهداف :-

- بلوغ مشارف السلام (إعادة التوطين ،إعادة البناء والدمج فى المجتمع والتنمية) .
- تعزيز بناء الثقة ،التعايش السلمي وجعل الوحدة الوطنية خياراً جاذباً .

المجالات :-

١.البنية التحتية (النقل) :

الغرض :-

- لربط جنوب السودان والمناطق المتأثرة بالحرب في الشمال بالعاصمة القومية ،الميناء وشمال البلاد بصورة عامة .
- إنشاء طرق تربط بين جوبا وكوستي عن طريق الرنك – ملكال -بور – جوبا وكذلك إنشاء طريق يمر من تلودي (جنوب كردفان) حتى ملكال .
- استكمال إعادة تأهيل الخط الحديدي بين بورسودان – الخرطوم – واو وكذلك بناء طرق رابطة من واو وحتى جوبا .
- وبشأن الملاحة النهرية تعميق الملاحة فى نهر النيل وبناء موانئ جديدة فى جوبا ،منقلا ،بور، شامبي ،ادوك ،ملكال وقيام معينات ملاحية ومحطات الإشارات الملاحية والإنقاذ ،

S/2009/207

٢.البنية التحتية (المياه و الكهرباء) :

الغرض :

- لتسهيل تقديم الاساسية والتطوير ولتشجيع الاستثمار الخاص .
- قيام مشروعات المياه الصالحة .قيام محطات التوليد الكهربائي والمائي في العواصم والمدن الرئيسية والمواقع فى جنوب السودان والمناطق المتأثرة بالحرب .

٣.الانتعاش التكاملي في المجتمعات وتنميتها :

الغرض :

- تعزيز المصالحة والتعايش المشترك وبناء الثقة .

الهدف :

استهداف المجتمعات القائمة على جانبي حدود ١٩٥٦/١/١فى جنوب دارفور ،وجنوب كردفان ،النيل الأزرق ،غرب بحر الغزال،شمال بحر الغزال ومناطق الوحدة وغرب اعالى النيل .

الإعمال الممكنة :

- إعادة تأهيل قطاعات التعليم والخدمات الصحيحة .
- الخدمات الاعاشية (المرعي والمياه للسكان المستقرين والرحل ،تحسين الإنتاج الزراعي) تقديم الخدمات الأساسية (مياه ،الصحة البيئية أنشاء وتأهيل المدارس والمراكز الصحية والتغذية المدرسية).

The Republic of the Sudan

The Presidency

Implementation progress of the Comprehensive Peace Agreement (CPA)

9 April 2009

"Design and implement the Peace Agreement so as to make the unity of The Sudan an attractive option"

Machakos Protocol
July 20th, 2002, (part A:1.5.5)

Contents

CPA implementation progress and political partnership :-

- ✓ Power-sharing Protocol.
- ✓ Wealth-sharing Protocol.
- ✓ South Kordofan and Blue Nile Protocol .
- ✓ Abyei Protocol .
- ✓ Military and Security arrangements.
- ✓ Political partnership between the NCP and the SPLM.

JOINT PROJECTS *(for joint national and international finance)*

Power sharing Protocol

(1)Constitutional legislative , Executive and Judiciary bodies :-

- *Interim National Constitution (I.N.C) enacted .*

Established :

- ✓ *Presidency .*
- ✓ *Government of National Unity (GONU).*
- ✓ *National Assembly (N.A).*
- ✓ *Council of States (C.o.S.).*
- ✓ *Government of Southern Sudan (GOSS).*
- ✓ *Southern Sudan legislative Assembly (SSLA).*
- ✓ *State Assemblies.*
- ✓ *State Governments.*
- ✓ *Constitutional Court.*
- ✓ *National ,southern Sudan and State Judiciaries.*

(2)National commissions, councils and committees :-

- **(A) Established :-**

✓ National Constitutional Review Commission (NCRC).

✓ Assessment and Evaluation Commission (AEC) .

✓ National Judicial Service Commission (NJSC).

✓ National Civil Service Commission (NCSC) .

✓ Technical Border's Committee (TBC) to draw the 1/1/ 1956 Borders between North and South Sudan .

✓ National Population Census Council (NPCC)- the enumeration conducted (the results and analysis underway).

✓ Special Commission for the protection of the rights of non- muslims in the National Capital .

✓ National Security Council (NSC).

✓ National Security Service including its branches in the states . Understanding already reached by two parties before submition for necessary legislative procedures.

✓ Council of Political Parties.

✓ The National Electoral Commission (NEC) .

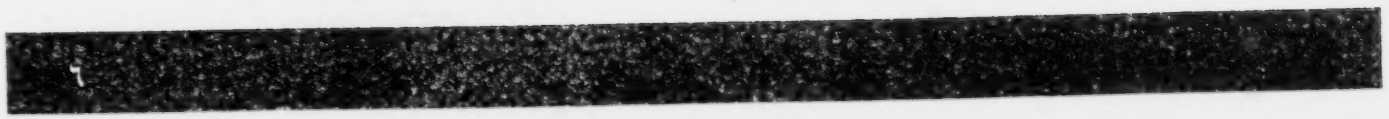
✓ National Council for the development and promotion of the national languages

09-20547

(2)National commissions, councils and committees:-

(B) Under Establishment :

- ✓ Human Rights Commission (HRS)- Legislation passed by the NCRC and Council of Ministers .Already submitted to NA
- ✓ National Land Commission (NLC) - Legislation passed by the NCRC and Council of Ministers .



S/2009/207

(C) Review of National Laws:

- To conform with the National interim Constitution .
- Several were passed by the NA and others are underway including the National Security,
- The national media and press act was passed by the council of ministers .The council also passed the civil and criminal procedures Act.

(D) Elections:-

✓Preparation underway for fair, free and transparent elections envisaged for 2009, covering the President ,the National Assembly, the Council of States (through elected state assemblies) , the Southern Sudan President , the Southern Sudan Assembly , state assemblies, state governors .

✓Election Law passed by NA.

✓Establishment of National Electoral Commission which announced the full time table for elections at all levels.

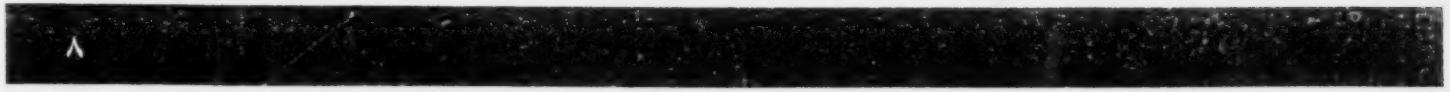
February 2010 shall be the date of completion of the elections process.

(E) Political Parties Affairs council : Established. Already resumed it's functions by registering the political parties to pave the way for elections.

(F) National Population Census: Results are underway (determination of the Geographical constituencies).Already completed technical work .Results adopted by technical working group and shall be submitted to population senses council then to Presidency for final approval .

(E) Repatriation and resettlement :

- High level joint committee (GONU/GOSS) formulating policies and monitoring activities to resettle the internally displaced persons (IDPs) and to repatriate the displaced (south Sudan, Blue Nile and Southern Kordofan States) .
- In collaboration with the UN agencies and the international community .
- Agreements signed with the relevant neighboring Countries to facilitate their repatriation .



Wealth Sharing Agreement

(1)National commissions, councils and committees:-

Established :

- National Revenue Fund (NRF) /the national treasury established .
- Fiscal, Financial and Allocation Monitoring Commission (FFAMC) *ensuring prompt transfers to the national , southern Sudan and state government levels from the (NRF) in line with the North / South wealth sharing allocation and the yearly agreed allocation formula between the National and Sub- national levels (vertical and horizontal).*
- National Reconstruction Fund established *(for the rehabilitation ,reconstruction and development of the war-affected and less-developed areas in the North).*

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Wealth Sharing Agreement

- 1)National commissions, councils and committees:-
- Established :
- National Petroleum Commission (NPC) *formulating policies on the oil sector and monitoring implementation .*
- Joint Technical Committee (JTC) calculating , allocating and monitoring oil production and net revenues for (GONU), (GOSS) and the producing states on monthly basis. Existing arrears in fever of GoSS amounting to 269.97 M US Dollrs shall be cleared soon.
- Joint Non – oil revenues committee to effect the collection in Southern Sudan including customs , federal Taxes and others .
- The recent world financial crisis and drop of oil prices had it's impact on revenues of both GoNU and GoSS.

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The Central Bank of Sudan (CBOS) :

- The Board of directors restructured and a deputy governor from South Sudan appointed.
- Formulated the dual banking system (Islamic and conventional).
- Established its branch in Southern Sudan (BOSS).
- Issued a new currency (Sudanese pound) and smoothly replaced the old currency (primarily nationally financed due to failure of the donors to deliver promptly).

Multi –Donor Trust Funds (MDTFs):

- **Joint Transitional Team (JNTT)** established as early as the interim period for the coordination of the joint assessment mission which identified reconstruction and development projects for national, southern Sudan and war - affected areas.
- Two funds established (One for the national levels and another for Southern Sudan).
- First donors consortium convened in Oslo as early as the pre-interim period .
- JNTT reconstituted to carry on the soliciting and follow-up of the relevant international assistance to the peace process at large .
- Two follow-up meetings in Paris and Khartoum took place.
- Second consortium convened in Oslo.

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Blue Nile and Southern Kordofan states Agreement

- Two States constitutions enacted .

Established :

- State assemblies according to the power sharing formula in the agreement.
- State governments established according to the power sharing formula in the agreement (governors by rotation of the parties effected).
- State Judiciaries .
- State security committees .
- Assessment and Evaluation Commissions in the two States.

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Abyei Protocol

- ✓ The two parties disagreed on the report produced by the experts of the Abyei Boundaries Commission (ABC) with respect to the definition of the Abyei area (1905) which hindered the establishment of Abyei administration with the special status (anchored to the Presidency according to the Protocol).
- ✓ The two parties in May 2006 agreed on four options for the way ahead (a political solution or consideration by the Constitutional Court or arbitration or inviting the experts to defend their report).
- ✓ Then the two parties engaged in a prolonged political negotiation in order to establish an interim administration on an interim area while seeking a final settlement .
- ✓ Before finalizing the interim arrangements sought, a military confrontation took place in the area in May 2008 .
- ✓ The two parties contained the situation by an agreement singed at the CPC specifying military de-escalation, establishment of an interim Joint civil administration and humanitarian measures , appealing to the Presidency to expedite the finalization of peaceful resolution and engaging the CJMC for an investigation in the incident.

- ✓ Finally , a political solution has been reached by the two parties (June 2008) which identified an interim area to establish an interim administration to effect the security ,power and wealth sharing arrangements related to Abyei protocol for a period of six months (The chief administrator and his deputy from the two parties were appointed) .
- ✓ A (Unity Fund) was established to foster socio- economic development – infrastructure , and services(health , education, agriculture and veterinary)along the transitional zones between the North and the South to enhance peace , stability and national unity .
- ✓ The two parties agreed, for the final solution, to resort to arbitration which they did.
- ✓ The entire arbitration process shall be completed within a period not exceeding six months – subject to an extension for a period of three months.
- ✓ The parties referred to the Permanent Court of Arbitration (PCA), the Hague, and each Party had chosen his two arbitrators while the court selected the fifth one .

Military and Security arrangements

- **National commissions, councils and committees:-**

- **Established :**
- Joint Integrated Units (JIUs) Act enacted.
- Joint Defence Board (JDB) formed accordingly and chaired rotationally
- Co-chaired Ceasefire Political Commission (CPC) including, beside the parties ,the UN Peace support Mission military force (UNMIS).
- Ceasefire Joint Military Committee (CJMC) including Area Joint Military Committees (AJMCs) .
- Other Armed Groups Collaborative Committee (OAGCC).
- Demobilization, Disarmament and Reintegration National Council (DDR) including North and South Commissions .
- National De-mining Council (NDC).

Military and Security arrangements

- **Redeployment :**

According to the latest report of the CJMC :

- Sudan Armed Forces (SAF) / SPLA : SOUTH / NORTH / NORTH / SOUTH respectively .
- SPLA from eastern Sudan in the North completed .
- SAF from southern Sudan (97.5%).
- SPLA from southern Blue Nile , southern Kordfan and Abyei in northern Sudan (10.6%) .
- **Deployment of JIUs :**
- Co-located in designated areas in the South and the relevant areas in the north (85% average).
- Preparations for basic joint training and joint lodging underway .

SAF REDEPLOYMENT FROM SOUTHERN SUDAN
AS OF 27 OCT 08

Sect	Initial State	Total Redeployed from South a. Stated b. Verified	Sector JIU Deployment				Total Reduction Without Demobili-zation (c+g)	Red. Since Last CJMC	Voluntary Demob. a. Stated b. Verified	Total Reduction including Demobilization (h+j)
			Total JIU Troops a. Stated b. Verified	Incorp. former OAG Members	SAF proper Deployed from North Not incl. in the Initial State Verified	SAF proper in JIUs Incl in Initial State (d-e-f)				
a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
I	17130	a. 10635*	a. 3817	913	706	2198	12833	-	a. 4297	17130 100%
		(b. 5163)	b. 3817			2198	12833		b. 4297	17130 100%
II	8979	a. 4993	a. 3256	282	0	2974	7967	-	a. 1012	8979 100%
		(b. 4993)	b. 2990			2708	7701		b. 1012	8713 97.0%
III	20294	a. 14478	a. 3862	983	1679	1200	15678	-	a. 3610	19288 95.0%
		(b. 14016)	b. 3683			1021	15499		b. 2889	19109 94.2%
Tot	46403	a. 30106	a. 10935	2178	2385	6372	36478 78.6%		a. 8919	45397 97.8%
		(b. 24172)	b. 10490			5927	36033 77.7%		b. 8198	44952 96.9%

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SPLA REDEPLOYMENT FROM NORTHERN SUDAN AS OF 27 OCT 08

Sect	Initial State	Redeployed from North a. Stated b. Verified	Total JIU Troops a. Stated b. Verified	Total reduction without demob (c+d)	Voluntary Demob/Non Combatants a. Stated b. Verified	Transferred to Police a. Stated b. Verified	Red. Since Last CJMC	Total Reduction Incl demobilization a. Stated b. Verified (c+d+f+g)
a.	b.	c.	d.	e.	f.	g	h.	i.
IV	22601	a. 9243	a. 3031	12274 (54.3%)	a. 4902	a. 1500		18676 (82.6%)
		b. 1463 (3878)	b. 2186	3649 (16.1%)	0	0		3649 (16.1%)
V	35330	a. 2710	a. 2398	5108 (14.5%)	a. 4697	a. 834		10639 (30.1%)
		b. 656 (2005)	b. 1662	2318 (06.6%)	0	0		2318 (06.6%)
VI	1237	0	a. 320	320 (25.9%)	0	0		320 (25.9%)
		0	b. 306	306 (24.7%)	0	0		306 (24.7%)
Total	59168	a. 11953	a. 5749	17702 (29.9%)	a. 9599	a. 2334		29635 (50.1%)
		b. 2119	b. 4154	6273 (10.6%)	0	0		6273 (10.6%)

Eastern Sudan	Initial Strength	Redeployed	Moved to JIU	Deserters	Total
	8736	4313	1359	3064	8736

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Political partnership between the NCP and the SPLM

- ✓ The NCP and SPLM have agreed on a combined mechanism to spur the CPA implementation process and enhance political partnership. This includes:
- ✓ Joint annual meetings of the Leadership Bureau of the NCP and the Political Bureau of the SPLM.
  - ➢ Quarterly meetings of a joint leadership committee of each party.
  - ➢ Monthly meetings of a joint political follow-up committee and, if necessary, subsidiary committees (economic, political, security).
- ✓ The joint leadership committee and follow-up committee held a series of meetings. Conclusions reached include:
  - ➢ Establishment of an interim administration for Abyei.
  - ➢ Establishment of a national executive committee to examine the performance of national institutions in South Sudan and relations between the National level, South Sudan level and Southern states.
  - ➢ Establishment of a committee for information and media co-ordination.
- ✓ The executive committee agreed on a number of measures related to issues incorporated in the INC and implementation started.

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JOINT PROJECTS

- Prepared and promoted by the parties (The Joint National Transitional Team – JNTT).

Goals :

- ✓ Peace dividends (rehabilitation, reconstruction , reintegration and development) .
- ✓ Enhance confidence building ,coexistence and making national unity attractive.

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JOINT PROJECTS

AREAS

1- Infrastructure: (Transportation):

PURPOSE : To connect the South and the war-affected areas in the North with the national capital , seaport and the North at large .

- ✓ **Construction of roads connecting Juba to Kosti through Renk-Malakal–Bor–Juba and construction of a road connecting Talodi (South Kordofan) to Malakal.**
- ✓ **Complete the rehabilitation of the rail infrastructure between Port Sudan-Khartoum-Wau-and construct new links from Wau to Juba.**
- ✓ **For river transport, undertake the dredging of the navigable River Nile , and construction of new ports at Juba, Mangala, Bor, Shambe, Adok, Malakal, and establish navigational aids, signaling and rescue stations.**

2. Infrastructure (water and electricity):

PURPOSE : To facilitate the delivery of basic services and public development and to encourage private investment .

✓ **Drinking water schemes , thermal and Hydro-electric power stations in the capitals, main cities and locations in southern Sudan and war-affected areas in the North .**

3- Integrated Community Recovery and Development:

PURPOSE : To enhance reconciliation , coexistence and confidence building.

Target:

- ✓ **communities living around the 1956 border in South Darfur, Southern Kordofan, Blue Nile, Western Bahr-el-Ghazal, Northern Bahr-el-Ghazal, Unity and Western Upper Nile.**

Possible interventions are:

- ✓ Rehabilitation of education and health services.
- ✓ livelihood services (pasture and water for both settled and nomadic population; improved agriculture production), provision of basic services (water, sanitation, construction and renovation of schools and health clinics, school feeding),
- ✓ Capacity building (training of key personnel such as teachers, health workers, youth workers and women's groups, enhancing communities capacities for joint planning).
- ✓ Cross-cutting issues such as HIV/AIDS awareness, health and hygiene education, and local skills.

United Nations A/63/820–S/2009/208

General Assembly
Security Council

Distr.: General
16 April 2009
English
Original: Russian

General Assembly
Sixty-third session
Agenda items 12 and 68

Security Council
Sixty-fourth year

Prevention of armed conflict

Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 1 April 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a decision of the State Duma of the Federal Assembly of the Russian Federation in connection with its statement "On the tenth anniversary of the military operation launched by the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia" (see annex).

I should be grateful if you would have the aforementioned decision and statement issued and circulated as a document of the General Assembly, under agenda items 12 and 68, and of the Security Council.

(*Signed*) Igor **Shcherbak**
First Deputy Permanent Representative of the
Russian Federation to the United Nations

09-30553 (E) 240409 270409

Please recycle

Annex to the letter dated 1 April 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

Statement of the State Duma of the Federal Assembly of the Russian Federation "On the tenth anniversary of the military operation launched by the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia"

The State Duma of the Federal Assembly of the Russian Federation hereby decides:

1. To adopt the statement of the State Duma of the Federal Assembly of the Russian Federation "On the tenth anniversary of the military operation launched by the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia".

2. To transmit this decision and the aforementioned statement to the President of the Russian Federation, Mr. D. A. Medvedev, the Government of the Russian Federation, the Public Chamber of the Russian Federation, the United Nations, the Inter-Parliamentary Union, the European Parliament, the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly of the Organization for Security and Cooperation in Europe, the Inter-Parliamentary Assembly of the States Members of the Commonwealth of Independent States, the Parliamentary Assembly of the North Atlantic Treaty Organization and the National Assembly of the Republic of Serbia.

3. To transmit this decision and the aforementioned statement to the Parliamentary Gazette for official publication.

4. This decision shall enter into force on the date of its adoption.

(*Signed*) B. V. **Gryzlov**
Chairman of the State Duma of the Federal Assembly
of the Russian Federation

Moscow, 20 March 2009
No. 1857-5 GD

Enclosure

On the tenth anniversary of the military operation launched by the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia

In connection with the tenth anniversary of the military operation launched by the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia, the State Duma of the Federal Assembly of the Russian Federation declares that its assessment of this aggressive act against a sovereign State remains unchanged.

In its statement of 27 March 1999 "In connection with the aggression of the North Atlantic Treaty Organization against the Federal Republic of Yugoslavia", the State Duma strongly condemned the war against an independent State and the missile and bomb attacks on civilians, concluding that "the military actions against Yugoslavia by NATO, undertaken without the authorization of the United Nations Security Council, undermine the entire system of international security based on the authority of the United Nations and discredit the role of the Organization for Security and Cooperation in Europe (OSCE)".

Time has shown the correctness of that assessment, including the assertion that any actions taken to bypass the United Nations, in violation of international law, will never help to resolve complex conflicts or to stabilize the international situation. The military operation, justified in the West on humanitarian grounds, caused great harm to the people and economy of the Federal Republic of Yugoslavia. It inevitably gave rise to the new humanitarian challenges now facing hundreds of thousands of Serbian refugees and the small Serbian population still in Kosovo, and also had grave political implications for the situation in the Balkans and for security, peace and stability in Europe.

The deputies of the State Duma are deeply convinced that the NATO military action against Yugoslavia in 1999 led to the unlawful unilateral declaration of Kosovo as an independent State in contravention of United Nations decisions, notably Security Council resolution 1244 (1999). The premature recognition of a new entity by the States that were the main organizers of the military operation in March 1999, their allies and the States dependent on them was not objectively determined by the readiness of the province to become a new subject of international law or by the genuine achievements of the interim administration in Kosovo in terms of nation-building or ensuring the rights and freedoms of the population in the province. Instead, this recognition was motivated by the desire of those States to justify and legitimize, if only partially, an illegal process that began with the NATO actions taken a decade ago.

The deputies of the State Duma believe that every effort must be made to address the negative consequences arising from the events of a decade ago that, inter alia, led to clear distortions in the work of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (International Criminal Tribunal for the Former Yugoslavia), which has been mainly concerned with prosecuting participants in the conflict on the Serbian side. To all intents and purposes, the perpetrators of crimes against the Serbs and their

holy sites have gone unpunished. March 17 marked the fifth anniversary of the tragic events of 2004, when hundreds of people fell victim to anti-Serb pogroms in Kosovo and dozens of churches and monasteries were destroyed and desecrated.

The Kosovo precedent has helped to create many dangerous trends in international affairs by strengthening separatism and reducing the role of negotiations in the settlement of disputes, leading some States to seek to resolve their internal and external conflicts through military force. The deputies of the State Duma are convinced that the military action taken against the Federal Republic of Yugoslavia in 1999 was largely responsible for the decision of Georgia to carry out an armed attack on South Ossetia in August 2008; in both cases NATO support provided unduly to one party to the conflicts helped that party to withdraw from the negotiation process taking place within the legal framework established by the international community and encouraged reliance on the use of military force in those conflicts. In the case of both the military operation of 1999 and the aggression of Georgia in August 2008, a settlement agreeable to all parties to the conflicts has not been achieved and the foundations of international law, peace and stability were grossly violated by those who launched the military actions.

The State Duma calls on the President of the Russian Federation, Mr. D. A. Medvedev, and the Government of the Russian Federation to make every effort to complete the work of the International Criminal Tribunal for the Former Yugoslavia and to resume negotiations on the status of Kosovo in strict compliance with Security Council resolution 1244 (1999).

The deputies of the State Duma support the policy adopted by the leadership of the Republic of Serbia in the search for an exclusively legal resolution to the conflict. This constructive approach has already received international support in the United Nations General Assembly, which, on 8 October 2008, adopted resolution A/RES/63/3 submitted by the Republic of Serbia, entitled "Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law".

The State Duma reaffirms its long-standing position: the Autonomous Province of Kosovo and Metohija shall remain an integral part of the Republic of Serbia until a settlement satisfactory to both sides is reached and an appropriate legal decision has been adopted.

Moscow
20 March 2009

United Nations A/ES-10/453–S/2009/209

General Assembly
Security Council

Distr.: General
16 April 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 16 April 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Tensions continue to escalate in the Occupied Palestinian Territory, including East Jerusalem, as a result of ongoing, destructive and provocative policies and actions by Israel, the occupying Power, in particular in relation to its unlawful campaign of colonization.

In this regard, the rising and unprecedented levels of Israeli aggression towards Occupied East Jerusalem require urgent attention for such actions by the occupying Power and its settlers in the Palestinian Territory are seriously inflaming tensions and threaten combustion of the already fragile, precarious situation on the ground. If such illegal actions and provocations remain unaddressed, the consequences at the political and security levels will surely be grave. Not only do such actions have the high potential to incite violence between the two sides, but, as we have repeatedly cautioned, every single such action further threatens the prospects for actually and physically achieving the two-State solution for peace.

Occupied East Jerusalem in specific faces grave danger as Israel continues its rabid pursuit of colonization in and around the city, isolation of the city from the rest of the Occupied Palestinian Territory and the undermining of the city's indigenous demographic composition and historical and cultural heritage. In addition to the thousands of Palestinian homes already illegally destroyed by the occupying Power, thousands more Palestinians face the threat of eviction or home demolition in East Jerusalem and Palestinian institutions remain shuttered, while at the same time the illegal Israeli settlements and settler population continue to expand at unprecedented rates. Moreover, the occupying Power's illegal policies and practices in the city serve only to embolden and encourage the aggression, provocations and acts of terror that continue to be perpetrated by Israeli settlers in and around the city, against the population as well as against historical and religious sites.

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This is our fourth letter in the span of a month regarding these Israeli policies, which continue to be carried out in flagrant disrespect for and violation of the relevant United Nations resolutions and Israel's very clear obligations as an occupying Power in accordance with international law, including international humanitarian law. Indeed, the urgency of this matter and the gravity of the possible consequences if this situation continues to escalate cannot be understated.

In follow-up to previous letters on this matter, I thus wish to draw your attention to recent disturbing and provocative actions. On 12 April, the occupying Power allowed at least 50 extremist settlers to enter Al-Aqsa Mosque compound, also known as Al-Haram Al-Sharif (Noble Sanctuary). As with past such incidents, this aggressive act has the potential to seriously ignite the sensitivities not only of Palestinians but also of Arabs and Muslims around the world and to exacerbate an already volatile situation.

This was preceded by another provocative action, on 6 April, in which the Antiquities Authority of the occupying Power seized a huge stone from Al-Emara Palace, one of the Umayyad palaces, located in the external south-eastern wall of Al-Aqsa Mosque, one of the most important antiquity sites in Jerusalem. The stolen stone was then taken and placed in front of the Israeli Knesset building. In this connection, it has been recently reported that several other pieces from the historic Umayyad palaces have also been looted by the occupying Power. These recent events come in addition to decades of looting of Arab and Muslim historical monuments in Jerusalem by the occupying Power, indicative of its blatant disregard for the city's historical and archaeological status as a site of the heritage of mankind protected under international law.

At the same time, Israel continues waging its not-so-silent campaign of depopulating Palestinian neighbourhoods in East Jerusalem, targeting in particular Silwan, Sheikh Jarrah and Shu'fat refugee camp. At this time, 51 residents of the Sheikh Jarrah neighbourhood face imminent eviction from their homes. These residents live in two housing units belonging to the Al-Ghawe and Hanun families, whose legal efforts to avert this tragedy have regrettably failed. Their fate is shared by dozens of other Palestinian families, including the Al-Kurd family, who were evicted from their home in the middle of the night in November 2008, despite having ownership papers dating back decades, and who continue to fight this injustice to this day.

In another such recent incident, seven brothers, their wives and children from Al-Silwadi family living in a multi-story building in Silwan, received an order from the occupying Power to evacuate their home and the dunum of land around it in order to turn the property over to an extremist group of Israeli rabbis. This area is less than a kilometre away from Al-Bustan neighbourhood in East Jerusalem, where, as indicated in a previous letter, Israel has declared that 88 homes of 1,500 Palestinians are slated for demolition. Even refugees in East Jerusalem are not spared from this cruel campaign as the occupying Power issued, on 3 March 2009, another 55 demolition orders against Palestinian homes, specifically targeting dwellings located in Shu'fat refugee camp.

Regrettably, the above-mentioned incidents by no means constitute a new phenomenon. Since 1967, Israel, the occupying Power, has expropriated thousands upon thousands of dunums of Palestinian land in Occupied East Jerusalem. The occupying Power has done so by invoking the so-called "Basic Law on Jerusalem"

of 30 July 1980, by which it has perpetually tried to advance its efforts to illegally annex the city in contravention of international law and United Nations resolutions. In this regard, it is imperative to recall that the Security Council specifically condemned this egregious violation of international law, including the Fourth Geneva Convention, in its resolution 478 (1980), which, inter alia, reaffirms that "all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular the recent 'basic law' on Jerusalem, are null and void and must be rescinded forthwith".

Unfortunately, the international community has fallen short of taking any effective action to stop the illegal actions of successive Israeli governments in this regard, allowing for the continued undermining of the city's status and its residents and of the prospects for peace, to which the fate of Jerusalem is central. Accordingly, we are compelled to stress once again the high urgency of this matter and to reiterate the need for concerted action in accordance with international law by the international community, including, in particular, the Security Council, to put an end to these illegal Israeli actions that are gravely and may irrevocably be damaging the prospects for achieving the two-State solution and making peace a reality.

The present letter is in follow-up to our previous 337 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 8 April 2009 (A/ES-10/452-S/2009/194), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

United Nations S/2009/210

Security Council

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Report of the Secretary-General on Somalia pursuant to Security Council resolution 1863 (2009)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1863 (2009). In that resolution, the Council expressed its intent to establish a United Nations peacekeeping operation in Somalia as a follow-on force to the African Union Mission in Somalia (AMISOM), subject to a further decision of the Council by 1 June 2009, and requested me to submit a report by 15 April 2009, providing my assessment in advance of that decision. The present report provides an update on the implementation of the resolution, including developments in the political process, an assessment of the security situation on the ground, and progress towards the full deployment and strengthening of AMISOM, covering the period since my report of 9 March 2009 (S/2009/132). On the basis of the outcome of the ongoing integrated mission planning process, the report also sets out the strategic objectives of the United Nations for Somalia and provides recommendations on the mandate of the envisaged United Nations peacekeeping operation, as requested in paragraph 6 of resolution 1863 (2009). In addition, the report brings to the attention of the Security Council all the scenarios and options identified during the integrated mission planning process, and provides my recommendations on the way forward.

II. Main developments in Somalia

A. Political developments

2. Since the election of Sheikh Sharif Sheikh Ahmed as President, the unity government has taken tangible steps to reach out, directly and by proxy, to those opposition groups outside of the Djibouti peace process. Somalia's elders, scholars and clerics have also engaged with those opposition groups to convince them to join the unity government. On 20 February 2009, the Prime Minister, Omar Abdirashid Ali Sharmarke, formed an enlarged unity Cabinet consisting of 36 members from the previous Transitional Federal Government, the Alliance for the Re-liberation of Somalia, civil society and Somalis from the diaspora. The newly formed Cabinet relocated to Mogadishu on 26 February and convened its first meeting on 1 March, and the enlarged Parliament held its inaugural session on 13 March, the first to be held in the capital since the formation of the transitional federal institutions in 2002. From 26 February to 1 April 2009, the Cabinet held six meetings addressing issues

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pertaining to security, revenue collection mechanisms, reconciliation and the drafting of the constitution. In an attempt to reach out to hardliners, on 10 March the Cabinet voted in favour of implementing sharia law in Somalia. The law will be submitted to the Parliament for consideration.

3. President Sheikh Sharif Sheikh Ahmed undertook official visits to a number of African countries in the region in March and also participated in the twelfth African Union Summit immediately after his inauguration. The President also visited the troop-contributing countries of Burundi and Uganda, and appealed to them to continue contributing their troops within the existing mandate of AMISOM, until Somali forces are able to assume responsibility for security in Mogadishu. On 29 March 2009, the President travelled to Qatar to attend a summit of the League of Arab States which was held on 30 March. On the sidelines of the summit in Doha, I met President Shéikh Sharif Sheikh Ahmed, who reaffirmed his commitment to working with all parties and to restoring the credibility of his country.

4. On 9 March, representatives of the United Nations Political Office for Somalia (UNPOS), the United Nations Support Office for AMISOM and the Department of Safety and Security of the Secretariat carried out a one-day visit to Mogadishu. A further mission to Mogadishu was undertaken by UNPOS and the United Nations resident coordinator and humanitarian coordinator on 26 and 27 March, to meet with representatives of the Government and AMISOM. During that visit, the delegation was received by President Sheikh Sharif Sheikh Ahmed, and held extensive talks with Prime Minister Sharmarke on the Government's immediate objectives and the role which the United Nations could play to assist. On 20 March, the Minister for Foreign Affairs of Somalia, Mohamed Abdullahi Omaar, had asked the international community to support his Government on issues pertaining to security stabilization, capacity-building, humanitarian assistance and piracy. As requested in Security Council resolution 1863 (2009), I intend to consult all stakeholders on the convening of an international peace conference to include local, regional and international actors. The international peace conference would address issues relating to capacity-building, humanitarian assistance and sustainable development.

B. Security situation

5. The security situation in Somalia remains extremely volatile and unpredictable. Following the withdrawal of the Ethiopian forces and the formation of the new Government, the realignment of armed factions and groups continues. In some areas, popular support for the insurgency seems to be waning; insurgent attacks continue, however, and reports of a new influx of foreign fighters allied to radical groups are of serious concern. While the incidence of hostile acts by radical groups and other factions has not markedly changed since my last report, insurgent attacks, including against AMISOM, are becoming more sophisticated, coordinated and lethal.

6. In Mogadishu, inter-clan fighting reportedly subsided in the wake of reconciliation efforts between the Government and local leaders. However, following a number of public threats, several significant attacks were carried out against AMISOM. The most lethal of these was the double suicide bombing of the Burundian base on 22 February 2009, in which 11 peacekeepers were killed and 28 other soldiers injured. That attack combined several advanced terrorist tactics,

which indicates the growing capacity of certain insurgent groups to deploy asymmetrical warfare. Roadside bombs and improvised explosive device attacks also continued against AMISOM and Government officials. On 26 March in Mogadishu, a roadside bomb explosion struck the vehicle of the new Government's Interior Minister, killing one bodyguard and two civilians. The Minister suffered minor injuries. On 16 March, in Wajid, 280 km north-west of Mogadishu, four United Nations staff members were abducted but later released unharmed.

7. During a ministerial meeting of AMISOM troop-contributing countries on 23 March, the AMISOM Force Commander cautioned against deception from the "false calm" in Mogadishu. He noted the reports of an influx of foreign fighters into Somalia in support of Al-Shabaab, and stressed that in his view the current calm reflected only a tactical withdrawal by insurgents ahead of a new wave of attacks. He highlighted threats to AMISOM forces including improvised explosive devices, mines, roadside bombs, mortar shells, suicide bombs and sniper fire. He also drew attention to a memorandum presented by traditional leaders to the Prime Minister, in which they recommended that no additional AMISOM troops should be deployed, no United Nations troops should enter Somalia and AMISOM should depart within 120 days.

8. Al-Shabaab and allied insurgent factions continue to control large parts of south and central Somalia, although the popularity of the Al-Shabaab movement appears weakened, since two pillars of its political platform have been removed by the withdrawal of Ethiopian forces and the decision of the new Government to institute sharia law. Popular resistance to the insurgency is reported more frequently. In Baidoa on 26 March, hundreds of demonstrators took to the streets in protest against a ban on the sale of the narcotic khat. In the Ceel Buur region of central Somalia, an emerging alliance known as Al-Sunna w'al-Jama'a reportedly succeeded in driving Al-Shabaab insurgents out of several towns, though the situation remains fragile and regrouping of various insurgent militias is ongoing. Meanwhile, Al-Shabaab forces defeated Government forces in the northern town of Xuddur. On 20 March, the leader of the Alliance for the Re-liberation of Somalia (Asmara), Sheikh Hassan Aweys, rejected the call, made in a recorded statement by Osama bin Laden, for Somalis to topple the new Government.

9. Mogadishu and the district of Badhadhe at the southern tip of the country remain in United Nations security phase V while the remainder of Somalia is in phase IV. After a review of security arrangements in the aftermath of the bombing of the office of the United Nations Development Programme (UNDP) in Hargeysa in October 2008, United Nations activities inside Somalia have been scaled up again during the reporting period: international staff numbers increased from 50 to 85, while the number of national staff has reached approximately 800. Several critical programmes in Mogadishu are maintained by a small number of national staff, but there is currently no United Nations presence of international staff in the capital. International staff have begun to return to Jawhar and conduct missions to Beledweyne. In view of the continuation of direct threats against United Nations staff, a further significant expansion of activities will necessitate implementation of more robust security arrangements, as well as improved contingency support.

10. Missions by United Nations international staff to Mogadishu, which had been suspended in June 2008, have also resumed though their frequency and duration, as well as permissible ground movement, remain very limited in view of pronounced

direct and collateral threats. During March three separate visits were undertaken by small numbers of United Nations international personnel, and UNPOS and a delegation of the United Nations country team visited Mogadishu on 1 April for consultations with the Somali Prime Minister and his Cabinet.

C. Humanitarian situation

11. The humanitarian crisis in Somalia is deepening, owing to the combined effects of drought, conflict, inflation and continued lack of humanitarian access. Some 3.25 million people are in need of humanitarian assistance. One in six Somali children under 5 is acutely malnourished. With an estimated median prevalence of 18.5 per cent global acute malnutrition and 2.5 per cent severe acute malnutrition, acute malnutrition remains consistently and significantly beyond the emergency threshold (15 per cent) according to reports of the Food Security Assessment Unit of the Food and Agriculture Organization of the United Nations. In total, 330,000 children in Somalia are acutely malnourished, of whom 96,000 are severely malnourished (at nine times greater risk of death than non-malnourished children) and in need of immediate assistance. In urban areas, food insecurity was exacerbated by a drop in remittances from the Somali diaspora, related to the global economic crisis. As a result of crossfire between Transitional Federal Government and AMISOM troops and Al-Shabaab forces and Hizbul Islam (a new armed group that has emerged in Mogadishu), 33 verified reports of child deaths were recorded in January and February by partner monitors of UNICEF, which is a cause for concern.

12. Since 15 January, the Office of the United Nations High Commissioner for Refugees estimates that 55,000 people have returned to Mogadishu, mainly from areas experiencing renewed conflict and severe drought. Continuing insecurity and lack of basic services suggest that organized returns are not appropriate at this time. United Nations agencies and non-governmental organization partners are however preparing contingency plans to help those who return. Overall, approximately 1.3 million Somalis remain internally displaced.

13. Relief activities for 2009 are seriously underfunded. The 2009 Somalia consolidated appeal process has received only 26 per cent of the US$ 918 million requested; the bulk of the funds (79 per cent) are allocated to food while critical sectors such as water/sanitation and health received only 2 per cent and 3 per cent, respectively. Although Somalia is among the most dangerous environments in the world for humanitarian workers, no funding has been committed to the consolidated appeal segment for safety and security. The Central Emergency Response Fund has allocated $10 million to support priority life-saving programmes. A significant amount of additional resources is however urgently required to ensure delivery of life-saving assistance and preserve livelihoods.

D. Human rights

14. The human rights situation in Somalia remains precarious and, particularly with regard to security, human rights defenders continue to face very serious constraints in documenting abuses. There have been fewer reports of large-scale indiscriminate attacks on civilians during this reporting period, but civilians continue to risk death and injury as a result of fighting between different groups and

the use of improvised explosive devices. Although the motives and perpetrators are not clear in some cases, targeted and attempted assassinations have allegedly continued, the targets including at least three religious clerics, the director of a Mogadishu hospital and the Interior Minister. Journalists continue to endure threats, intimidation and the risk of assassination, as well as detention. Grave violations against children and women have been reported throughout the country, including the recruitment and use of children by several parties to the conflict, killing and maiming as a result of the fighting, indiscriminate or excess use of force and rape and other forms of violence against women and children.

15. Arbitrary arrests and detentions, including prolonged detention before the initial court appearance, and executions following proceedings by Islamic courts have been documented in some parts of the country. In addition, ongoing impunity for violations of human rights and international humanitarian law remains a major issue of concern.

16. Despite the delays in the commencement of the activities of the Justice and Reconciliation Working Group established in 2008, a second workshop is proposed in the near future. Representatives of the Transitional Federal Government have expressed a willingness to discuss the strengthening of human rights protection and promotion in Somalia. The harmonization of sharia law and the promotion and protection of human rights will present unique challenges.

III. Implementation of Security Council resolution 1863 (2009)

A. Progress towards full deployment and strengthening of AMISOM

17. In March, AMISOM completed deployment of its fifth battalion, comprising 850 troops from Uganda. That brought the AMISOM troop strength to 4,340 troops, or 54 per cent of the mandated strength, composed of three battalions from Uganda and two battalions from Burundi. The additional battalion pledged by Burundi has yet to be deployed. On 27 March, the Permanent Mission of Burundi sent a note verbale to the United Nations Secretariat indicating that the deployment of the additional battalion will be subject to the participation of other troop-contributing countries in AMISOM; the transition to a United Nations peacekeeping operation; the provision of adequate material assistance; and an increase in the rate of troop reimbursement. The African Union continues to seek offers from troop-contributing countries for additional capacities to bring the force up to its full mandated strength of 8,000 troops. The African Union reports, however, that no firm offers have been forthcoming. I urge African Union member States to come forward with the necessary troop pledges.

18. On 16 March, I met the Foreign and Defence Ministers of Burundi, who expressed concern about equipment shortfalls facing the Burundi contingent in AMISOM, especially armoured personnel carriers and body armour for troops. The Ministers appealed for assistance in providing this crucial equipment, which they stressed would enable their Government to expedite the deployment of its additional battalion to AMISOM. The President of Burundi, Pierre Nkurunziza, conveyed the same message at my meeting with him on 18 March. I therefore appeal to Member States to assist in providing Burundi with the required equipment. I also appeal to Member States to help in meeting the other critical military needs identified in my

letter of 30 January to the Security Council, including inshore patrol boats to permit patrolling of Mogadishu harbour, and training in counter-improvised explosive devices patrolling techniques.

19. AMISOM is currently deployed at the seaport and airport, Villa Somalia, the old university and military academy, and other strategic sites in Mogadishu. The forces provide security to the airport and seaport, and other sites, convoy escort of shipping into the port, basic medical support and freshwater to the local community, transport support and protection of visiting international delegates, including all United Nations teams, and support to the fledgling Somali National Security Force.

B. Delivery of the United Nations support package for AMISOM

20. On 7 April, the General Assembly approved the first phase of the United Nations logistical support package to AMISOM. This first tranche of assistance, in the amount of $71.6 million, will enable the United Nations to take over funding of existing contractual arrangements for support, to establish the United Nations Support Office for AMISOM, and to deliver immediate support in specific areas prior to the roll-out of the full support package in June.

21. Following the technical assistance mission conducted in January 2009 and subsequent discussions with AMISOM leadership, the United Nations identified specific areas of immediate support, which included enhancement of AMISOM medical facilities and medical evacuation capacity, entailing safety enhancements to Mogadishu airport and positioning of one small fixed-wing jet aircraft in Nairobi; funding for the construction of the AMISOM level 2 hospital and force headquarters; enhancement of strategic and tactical communications capacity; and training for the AMISOM troops in the use and maintenance of United Nations-owned equipment. Support in these areas is intended to help AMISOM enhance its security and operational effectiveness, and prepare for deployment of incoming battalions.

22. To this end, essential equipment from the United Nations strategic deployment stocks is being pre-positioned in Brindisi for airlift to Entebbe by mid-April. This includes field defence stores; medical supplies; a mobile airfield lighting system; one airfield firefighting truck; information and communications equipment and related infrastructure. In addition, United Nations-owned equipment has been shipped to Mogadishu. It includes prefabricated accommodation and ablution units, soft-skinned vehicles and air-conditioning units, as proposed by the Secretary-General for immediate in-kind enhancement of AMISOM through the transfer of assets following the liquidation of the United Nations Mission in Ethiopia and Eritrea. The donation of these assets to AMISOM was considered and recommended for approval by the Fifth Committee to the General Assembly.

23. Critical to establishing the necessary framework for United Nations cooperation with AMISOM and the African Union is the establishment of a memorandum of understanding between the African Union and the United Nations, based on appropriate internal control procedures, which will define the overall relationship and the respective roles, responsibilities and liabilities of the two organizations. This memorandum of understanding is important for the establishment of the necessary oversight and accountability mechanisms. The work to conclude the memorandum of understanding is in progress.

24. The Department of Field Support is reviewing options to advance the construction of the AMISOM headquarters and level 2 hospital, including assessing contractual arrangements. The Department is also working to seek an agreement under which the United Nations would fund the existing contracted support to AMISOM for a six-month period, extended from March 2009. In parallel, the Department is making efforts to establish service support contracts to replace existing arrangements before September 2009.

25. The core team of the United Nations Support Office for AMISOM has been established. Recruitment of staff is ongoing and an initial team is already deployed in Nairobi. A United Nations Support Office for AMISOM liaison presence was also established in Addis Ababa and Entebbe. In addition, a small team from the Department of Field Support undertook an initial AMISOM assessment visit to Mogadishu.

26. The support package to AMISOM envisages a phased approach, dependent on the eventual establishment of a small presence of support and administrative personnel of the Support Office in Mogadishu. This is an essential prerequisite, security conditions permitting, to ensure the appropriate support and oversight required for AMISOM support. However, as the applicable security policies under current conditions (United Nations security phase V) do not permit the permanent assignment of international United Nations staff (see also paras. 68-72), it is planned to conduct regular missions until the necessary security infrastructure is built up to allow a semi-permanent presence with international staff to rotate in and out of Mogadishu. The support package to AMISOM will be closely coordinated among all international and national actors and stakeholders concerned, including the United Nations country team, UNPOS and the donors, to avoid duplication of functions and to increase efficiency.

C. United Nations planning support to AMISOM

27. In line with resolution 1863 (2009), the Department of Peacekeeping Operations continues to provide assistance to the African Union in the planning and deployment of AMISOM through United Nations planning experts in Addis Ababa. In the reporting period, the experts provided advice to the African Union on all military and police planning and operational matters related to AMISOM. In particular, the United Nations planning experts helped to review and update the AMISOM military and police concepts of operations and assisted in the preparation of the force and police generation strategy to raise military, police and civilian peacekeepers for AMISOM. The team developed budgets and projected equipment needs ahead of the April 2009 donors' conference, assisted in predeployment training and preparations, and in building the capacity of the African Union in the areas of procurement, management of human resources, medical support and public information activities. As at 1 April, the United Nations planning experts in Addis Ababa comprised 12 personnel, including military, civilian police, a disarmament, demobilization and reintegration expert, and logistics and other support planning experts.

D. Development of the Somali security forces and police

28. The transitional security arrangements established under the Djibouti peace process comprise three key institutions, namely, the Joint Security Committee, the Joint Security Force and the Somali Police Force. The Transitional Federal Government has renamed the Joint Security Force the National Security Force. The new Transitional Federal Government has also stated that security is among its highest priorities, and moved quickly to establish a new security committee comprising the Ministers of National Security, Defence and Internal Affairs. The establishment of the new Committee raised some questions about the role of and possible duplication with the Joint Security Committee established in the framework of the Djibouti Agreement, which has formal responsibility for the creation and development of the National Security Force and the Somali Police Force. Following meetings of the Government and Joint Security Committee members with UNPOS, together with the African Union, it was clarified that the Joint Security Committee will continue to fulfil its role as envisaged in the Djibouti Agreement, and will provide advice to the National Security Council.

29. Arrangements are being finalized to enhance the operational capability of the Joint Security Committee, which will be chaired by the Government jointly with UNPOS and AMISOM. The Joint Security Committee will oversee four working groups which will be responsible for developing plans and recommendations regarding, respectively, professionalization of military forces; development of the civilian police; development of the security sector institutional framework, including relevant ministries and oversight bodies; and planning for future needs, including a possible future disarmament, demobilization and reintegration programme.

30. At present, the National Security Force comprises a group of ex-Transitional Federal Government forces and ex-Alliance for the Re-liberation of Somalia forces, estimated at some 3,300 personnel who were deployed to secure the areas vacated by the Ethiopian forces in January. These are characterized as joint forces, although they currently operate in separate geographical areas and are managed by local security committees. National Security Force personnel work alongside approximately 2,700 members of the Somali Police Force, trained by UNDP. While these arrangements have proved effective in filling the vacuum created by the withdrawal of Ethiopian forces, they have yet to be formalized in line with the Djibouti Agreement. At the same time, issues of funding, vetting, accountability, governance and sustainability of the National Security Force have yet to be resolved.

31. A critical priority for the Joint Security Committee will be to provide strategic direction to the formal establishment of the National Security Force, which requires developing a clear mandate and associated tasks, distinct from those of the civilian police, as well as provisions to ensure effective command and control, inclusive recruitment, adequate vetting and accountability mechanisms including civilian oversight. Such measures will be essential to ensure a human rights-compliant police force which enjoys the respect and support of the civilian population. In this regard, the Government has begun work to identify, verify and register existing Transitional Federal Government and Alliance for the Re-liberation of Somalia personnel and to formalize command and control arrangements.

32. Donor assistance to this process will be essential. Pressing needs include the continuing supply of water, food, fuel and medical assistance to the ad hoc Somali security forces that are currently providing security in Mogadishu. AMISOM is currently providing these basic needs with donor assistance. Donor support is also required for the operations of the Joint Security Committee. On the basis of a plan being developed with the Joint Security Committee, bilateral donors will be approached to provide training and equipment to the National Security Force. Funding will also be required for stipends, although the Government is seeking to share part of the cost from its own revenues.

33. Meanwhile, with regard to the police, UNDP re-initiated its police training programme with the graduation of 80 trainers who were trained in collaboration with the Ugandan Police Force. The goal is to train 4,000 more police officers in the intermediate term, utilizing existing facilities in Mogadishu now undergoing rehabilitation. Training of police cadets will depend, however, on confirmed donor support for stipends. Donors are requested to confirm support for the payment of stipends, which is a high priority. The Government has indicated its wish to have all 10,000 police who have been earmarked to cover Mogadishu and south central Somalia trained as soon as possible. As mentioned in my report of 9 March, a clear division of responsibilities has been defined between UNDP, UNPOS and the African Union for supporting the development of the Somali police, complementing the ongoing UNDP-led rule of law and security programme. Bilateral partners should assist by equipping the police and building the police infrastructure.

34. As requested in resolution 1863 (2009), UNPOS will establish dedicated capacity to support the development of the Somali security sector, including advisers on military and police training, security sector reform, disarmament, demobilization and reintegration, mine action, human rights, justice and corrections in coordination with ongoing AMISOM and UNDP work in these areas.

E. Trust funds and donors' conference

35. As requested in paragraph 8 of resolution 1863 (2009), I intend to convene a donors' conference on 23 April 2009 in Brussels to solicit contributions both for AMISOM needs not covered by the United Nations logistical support package and to support the Somali transitional security institutions. The documents setting out priority requirements will shortly be presented to donors. The European Union has generously offered to host the conference, which will be held under the joint auspices of the United Nations, the European Union, the African Union and the League of Arab States.

36. In addition, contributions may be made through two separate United Nations trust funds established pursuant to resolution 1863 (2009) or as bilateral assistance to AMISOM and the Transitional Federal Government. The United Nations Trust Fund for AMISOM will channel financial assistance from donors to the African Union and AMISOM troop-contributing countries, for troop reimbursement and procuring contingent equipment. Separately, the United Nations Trust Fund for the Somali Security Forces will channel financial assistance to the Somali authorities in support of the sustainment and development of the Joint Security Committee and the National Security Force (Joint Security Force) envisaged in the Djibouti Agreement. The ongoing UNDP rule of law and security programme constitutes an additional

funding mechanism for the development of a civilian Somali police force. The United Nations planning experts in Addis Ababa have been working closely with AMISOM to prepare a prioritized list of equipment and personnel needs for presentation to the international community at the donors' conference to be held on 23 April 2009.

37. In addition to the programmes planned by UNDP, dedicated donor funds should be earmarked to further support the immediate strengthening of the justice and prison systems and the building of State and local institutions. Activities to be funded will include repairing basic infrastructure, training of prison and justice officials, salary stipends, and constitution and legislative development.

IV. Future role of the United Nations

38. In paragraph 5 of its resolution 1863 (2009), the Security Council requested me to provide my assessment in advance of its decision regarding the establishment of a United Nations peacekeeping operation as a follow-on force to AMISOM. At the same time, in paragraph 6 of the resolution, the Council requested me to develop recommendations on the mandate of the envisaged peacekeeping operation.

39. In order to prepare a comprehensive assessment in this regard, the Secretariat activated the integrated mission planning process, to which representatives of all relevant departments, offices and agencies, as well as UNPOS and the United Nations country team, contributed. In line with the established guidance on integrated planning, the integrated mission planning process focused on (a) defining a shared vision of the United Nations strategic objectives for Somalia; (b) reaching a common understanding of the challenges and risks; and (c) identifying options for action to deliver the strategic objectives, including through the deployment of a United Nations peacekeeping operation. These important elements are set out below, together with my assessment, while the other updates requested by the Council are provided in sections II and III above.

Strategic objectives

40. The integrated mission planning process reviewed the strategic objectives of the United Nations in Somalia defined in the 2008 strategic assessment and the report of the Secretary-General of 14 March 2008 (S/2008/178 and Corr.1 and 2), the letter from the Secretary-General to the President of the Security Council of 19 December 2008 (S/2008/804) and the findings of the technical assessment mission presented in my report of 9 March 2009 (S/2009/132), and revisited these in the light of developments in the political process and the security and humanitarian situation on the ground.

41. The overarching goal of the United Nations in Somalia remains close to that defined in the 2008 strategic assessment: to help to improve the lives of Somalis by ending violent conflict and laying the foundations for sustainable peace and a return to normalcy. This requires simultaneous and mutually reinforcing progress on three main tracks: political, security and recovery. At the same time, given the scale and urgency of humanitarian needs, humanitarian assistance must continue to be provided with full respect for the humanitarian principles of impartiality, humanity, neutrality and independence.

42. The key strategic objectives of the United Nations in Somalia on the three tracks are therefore the following:

(a) **On the political track**, to assist the Transitional Federal Government in building support for the peace process in Somalia and the region, and in fostering national reconciliation and sustaining dialogue between the Transitional Federal Government and opposition groups within the framework of the Djibouti peace process; in building capacity for local governance and taking forward key transitional tasks, including the drafting of a constitution; and in supporting the integration of human rights into all aspects of the peace process;

(b) **On the security track**, to assist the Transitional Federal Government in creating security conditions in which the process of building the State institutions can take root, humanitarian aid can be provided safely and recovery efforts can progress. In this regard, the priority is to build the basis of a legitimate locally owned and developed national security apparatus, consisting of the National Security Force and the civilian police, firmly committed to the rule of law, incorporating comprehensive justice, including juvenile justice, and corrections capacity, and in accordance with principles of good governance and accountability consistent with international norms;

(c) **On the recovery track**, the strategic objective of the United Nations should be to help Somalia to move beyond the current emergency and ensure that its people experience some benefit from the peace process, in the form of access to basic services (including water, health and education), livelihood support and opportunities, rehabilitation of key infrastructure, and other rapid-impact recovery programmes. While these tracks are pursued, addressing the life-saving and protection needs of some 3.2 million people in need of emergency assistance remains a critical priority.

43. In all of these activities, success will hinge on supporting solutions that are progressively owned and led by Somalis, and not externally imposed. Accordingly, the priority on all three tracks should be to build the capacity of Somali society and institutions. Capacity-building should take account of the Government's transitional status and focus on enabling it to deliver on transition tasks, while at the same time building the basis for national institutions that can effectively stabilize and develop Somalia in the long term.

Challenges

44. Insecurity represents the single greatest obstacle to effective international engagement in Somalia, yet conventional security responses may not be appropriate given the complex and asymmetric nature of the challenges. In particular, the insertion of international security forces in Somalia remains a divisive and politicized issue with the potential to exacerbate conflict. The issue of deploying a United Nations peacekeeping operation remains contentious, with divided positions among the Somali political actors. The most delicate challenge for the United Nations is therefore to devise means of engagement that permit effective delivery while ensuring the protection of United Nations staff and minimizing the risk of fuelling divisions among Somalis or of getting drawn into the conflict.

45. A second challenge relates to the need to foster Somali ownership and build the capacity of the transitional institutions, while also respecting the need for

inclusion and enhancing legitimacy. Given the fractious nature of Somali society and the role of clans and sub-clans in politics, it is essential to ensure that all processes supported by the United Nations are as inclusive as possible, in particular the building of security institutions; without this, such assistance can readily be perceived as supporting one clan or leader over others. Equally, it is important to ensure that investment in the development of security institutions is matched by commensurate development of the rule of law, including judicial and corrections systems, and respect for human rights including the rights of the child.

46. A third challenge relates to maintaining the right balance between preserving humanitarian space and ensuring an integrated approach to United Nations efforts in support of the peace process. It is essential that humanitarian, political, security and recovery efforts are coordinated in an integrated manner, while respecting the various mandates of the relevant United Nations stakeholders and maintaining the necessary coherence in the implementation of the United Nations strategy. In all areas, operating with limited international United Nations presence on the ground creates challenges of accountability, which necessitate creative approaches and constant attention to monitor delivery of programming and possible unintended consequences.

47. A Headquarters-level inter-agency mission is planned for May 2009 to support the Somalia United Nations country team and UNPOS with regard to risk assessment, risk mitigation and risk management, given the unique and very challenging operational environment in Somalia.

Possible approaches for international engagement

48. Considering the strategic objectives as well as the challenges and risks identified above, the participants in the integrated mission planning process further developed the plans for a United Nations peacekeeping operation for Somalia and recommendations for its mandate, as requested in resolution 1863 (2009). Also agreed was the need to consider other possible options and scenarios for United Nations engagement in Somalia, in the event that the Security Council decides not to establish a United Nations peacekeeping operation at the present stage. These approaches, which are not necessarily mutually exclusive and could be part of a phased effort, are set out below.

Transition from AMISOM to a United Nations peacekeeping operation (option A)

49. Contingency planning for a United Nations peacekeeping operation that would take over from AMISOM and expand its presence progressively across Somalia has been ongoing, on the basis of the requests of the Council in its resolutions 1772 (2007) and 1814 (2008). The existing contingency plans were reviewed by the technical assessment mission in February 2009 and further refined through the integrated mission planning process.

50. The plan for the envisaged peacekeeping operation is provided in my report of 9 March 2009 (S/2009/132, paras. 53-65). The plan foresees a force of some 22,500 troops, deployed across five sectors, and supported by maritime and aviation

components. The mission would also include a substantial police component of approximately 1,500 police officers and up to 8 formed police units. Support to the Somali authorities to address the shortcomings of the prison system would be provided through the deployment of corrections officers seconded from Member States to focus on the most urgent problems, as well as an appropriate civilian component.

51. The primary role of a United Nations peacekeeping operation would be to contribute to the creation of a secure environment that would permit the safe provision of humanitarian aid, help the Djibouti peace process to make progress, allow the rebuilding of Somali State institutions to take root, and support ongoing recovery efforts. The peacekeeping operation would support the Transitional Federal Government in delivering on the tasks of the transition, including by facilitating access for those involved in the political process, by monitoring the implementation of security arrangements and by providing advice to the Joint Security Committee. A central aspect of the mission's role would be to provide technical advice on the development of security sector and rule of law institutions, including joint security forces, civilian police, judiciary, prisons, disarmament, demobilization and reintegration and mine action, as well as on the protection and promotion of human rights, including the protection, well-being and rights of children. It is envisaged that these tasks would be organized under a single dedicated pillar within the mission's civilian component, and closely coordinated with the United Nations country team.

52. With respect to the tasks set out in paragraph 6 of resolution 1863 (2009), specifically the provision of humanitarian assistance, all humanitarian actors have stressed the need for particular care to ensure the provision of humanitarian assistance based on need, and the principles of neutrality and impartiality. Care should be taken to avoid the politicization of aid delivery, and to prevent humanitarian efforts from being drawn into the conflict. A peacekeeping operation in Somalia should have, in this respect, a responsibility to facilitate humanitarian assistance through the promotion of a secure environment in which aid can be more freely delivered.

53. On this basis, it is recommended that the key tasks of the anticipated peacekeeping mission, operating under Chapter VII of the Charter of the United Nations, would include:

(a) To provide good offices and political support to the Djibouti peace process;

(b) To support the Joint Security Committee in monitoring and verifying the implementation of the cessation of hostilities under the Djibouti Agreement, as well as any subsequent ceasefire arrangements and joint security arrangements; to provide technical assistance to the Joint Security Committee in the implementation of its functions, including in the investigation of ceasefire violations; and, within its capabilities, to support the monitoring of illegal weapons traffic by providing the Monitoring Group with any related information;

(c) Within its capabilities, to contribute to a secure environment in support of the peace process; to facilitate the free movement, safe passage and protection of those involved in the political process; and to provide security for key political infrastructure;

(d) To facilitate the free flow of humanitarian assistance by establishing the necessary security conditions; and to assist, within its capabilities, in the safe and dignified voluntary return of refugees and internally displaced persons;

(e) To protect its personnel, facilities, installations, equipment and mission, and to support the security and freedom of movement of United Nations personnel;

(f) To take necessary actions, in the areas of deployment of its forces and within its capabilities, to protect civilians under imminent threat of physical violence without prejudice to the responsibility of the State;

(g) In conjunction with regional and international donor partners and other interested parties, to support the Transitional Federal Government in developing and implementing plans for the effective re-establishment, training and retention of inclusive Somali security institutions, including the military and police, based on a security sector assessment and within an overall framework consistent with the National Security and Stabilization Plan, building on the ongoing UNDP programme to support the rule of law and security;

(h) In conjunction with regional and international donor partners and other interested parties, to support the strengthening of justice and corrections institutions and the training of judicial and corrections officers on the basis of a rule of law assessment and building on the ongoing United Nations country team programme to support the rule of law and security, as well as future needs related to the peace process;

(i) To support the Transitional Federal Government in developing and delivering plans for arms control and the disarmament, demobilization and reintegration of ex-combatants, including the release and reintegration of children recruited and used by armed factions and groups;

(j) To provide mine action, including mine risk education, survey, clearance, and the development of national mine action capabilities;

(k) Working with Somali stakeholders, to strengthen the monitoring and investigation of human rights concerns, to identify remedies and implementation measures, including capacity-building, to support the establishment of adequate mechanisms to address questions of impunity and accountability, and to support the development of appropriate institutions to promote and protect human rights;

(l) To support measures for increased protection of women and girls through ongoing consultation with women's civil society organizations, and, working with community leaders, to document, monitor and change community attitudes towards impunity and violence against women;

(m) To promote and ensure the protection of children affected by armed conflict in accordance with and in application of Security Council resolutions 1612 (2005) and 1539 (2004) on children and armed conflict;

(n) To provide comprehensive HIV/AIDS awareness and prevention training and HIV interventions for members of the United Nations peacekeeping operation and training in HIV for the inclusive national security services/forces in collaboration with relevant partners on the ground.

54. I strongly reaffirm integration as the guiding principle for all conflict and post-conflict situations where the United Nations has a country team and a

multidimensional peacekeeping operation or political mission/office. However, I have noted the humanitarian community's concerns (para. 52 above). In this regard, the envisaged peacekeeping mission would adopt a gradual approach towards structural integration. In line with the Organization's policy on integration, coherence and coordination would be ensured initially through an integrated strategic approach and a common set of strategic objectives, supported inter alia through a joint planning unit in UNPOS. In general, the structure of the mission should complement existing United Nations country team capacity and avoid replicating existing programmes or supplanting local processes. This arrangement would be revisited as the situation on the ground evolved.

55. It is expected that a United Nations peacekeeping operation would be deployed under basic conditions that would allow such a mission to operate effectively. This would include meeting the benchmarks set out in the Secretary-General's report of 9 March 2009, notably consent to the deployment by all the major Somali political actors on the ground and adequate pledges of troops and required military capacities by Member States. Timelines for deployment and the transfer of authority from AMISOM to the United Nations operation should not be determined arbitrarily, but should be contingent on critical factors including availability of the essential military capabilities. On 19 February 2009, the Office of Military Affairs in the Department of Peacekeeping Operations sent notes verbales to 60 Member States to ascertain if they would be willing to contribute troops, should the Security Council decide to establish a United Nations peacekeeping operation for Somalia. Only 10 Member States responded, all in the negative.

Assessment

56. The deployment of a United Nations peacekeeping operation directly, at this stage, would be a high-risk option. In the prevailing security circumstances, deployment will require a substantial, robust military component that has full capacity to protect itself and to preserve a secure environment. Given the divergent views among the main Somali political players, as well as the attitude of groups that remain outside the Djibouti process, such an operation could trigger opposition from substantial elements of Somali society opposed to international military intervention. It is highly likely that those opposed to the peace process would portray the mission as a new enemy, which would consequently add momentum to the insurgency and detract from the political process. This could result in attacks against peacekeepers, and in efforts to draw the United Nations force into the conflict. Equally important, the deployment of a United Nations peacekeeping operation would undermine the efforts of the new Government to continue its national reconciliation efforts.

57. A peacekeeping operation in the present circumstances could therefore substantially change the dynamics of the conflict, not necessarily for the better. Before deciding on this risky option, which would also consume very substantial resources, it is advisable to assess the scope for alternative measures of United Nations engagement in Somalia. Such an approach would involve a lighter presence, and support the perception and reality of a peace process led by Somalis themselves.

Staying the current course: strengthening AMISOM while building Somalia's security institutions (option B)

58. In resolution 1863 (2009), the Security Council conceived of the United Nations support package for AMISOM and recognized the need for international assistance to build Somali security and rule of law institutions as precursors to a United Nations peacekeeping operation. Those activities, coupled with the ongoing mediation efforts, and the humanitarian and recovery activities of the United Nations country team and other humanitarian organizations, in themselves represent a credible approach for achieving the United Nations strategic objectives. This is particularly the case in circumstances where, as noted above, the insertion of a United Nations force bears the risk of exacerbating divisions among the Somalis and offers hard-line insurgent groups an excuse for continuing or escalating the armed conflict. Continuing with the current strategy over the coming months, the United Nations would focus on the following activities:

Political track

59. In respect of the political track, UNPOS would continue to offer mediation and good offices to the Transitional Federal Government in support of its efforts to broaden the peace process. In order to facilitate this, UNPOS would need to conduct regular missions into Mogadishu and other parts of Somalia, security conditions permitting. As in the case of a United Nations peacekeeping operation, the United Nations country team would take the lead in providing support to institutional capacity-building and to local government, under the existing United Nations Transition Plan. Owing to the security environment, many of the related activities would be delivered through local partners to the extent possible, or through training and capacity-building activities in third countries. At the same time, the United Nations country team would seek opportunities to increase its recovery and peacebuilding activities, beginning with existing programmes in "Somaliland" and "Puntland".

60. With regard to human rights, UNPOS will expand its efforts in monitoring and providing capacity-building for the transitional federal institutions and civil society on human rights issues, including addressing impunity, and developing accountability, oversight and transitional justice mechanisms. Tasks that can be undertaken with limited access to Somalia include increased monitoring, for example, through engagement with refugees, substantive preparation of a conference on transitional justice, and capacity-building initiatives, including workshops on the harmonization of the relevant Somali law with international human rights and humanitarian law.

61. In parallel with human rights issues, the United Nations will support the Government and civil society organizations with technical expertise for the full inclusion of women's perspectives in the peace process as requested in resolution 1325 (2000) on women and peace and security, and facilitate consultations to allow for a common platform of women's network in the peace agenda.

Security track

62. On the security track, pending the build-up of Somali institutions to adequate levels, the United Nations would continue its support to AMISOM, helping

AMISOM to build its troop strength to the authorized level of 8,000 and strengthening the capacity of AMISOM to secure key infrastructure in Mogadishu. The objective should be to enable AMISOM to continue to secure strategic installations and provide a security backbone in the capital until the National Security Force is able to assume full responsibility for security in Mogadishu. Meanwhile, the United Nations would help the Transitional Federal Government to develop an inclusive Somali security sector within a rule of law framework. UNPOS is already creating a transitional security sector cell covering security sector reform, support to the Joint Security Committee and to the formation of the National Security Force and support to the development of police training and planning capacity, in coordination with UNDP, complementing existing programmes. Based in Nairobi, the cell would undertake short visits to Somalia, support the new working groups established under the Joint Security Committee, and work in partnership with AMISOM, donors and the United Nations country team.

63. In parallel with the build-up of security institutions, the United Nations will continue to support the Transitional Federal Government with technical advice and support in the areas of disarmament, demobilization and reintegration, police reactivation, justice and corrections development. Joint cooperation frameworks would be developed with the United Nations country team in this regard to ensure coherent and targeted international assistance, building on ongoing projects and activities.

64. While the lack of a United Nations presence in Mogadishu would be a constraint, creative partnerships have already evolved to deliver activities through a variety of mechanisms. For example, in the case of policing, UNDP has conducted training needs assessments, planning workshops and meetings along with Somali police leadership to help reactivate the Somali Police Force. UNDP has also facilitated and advised on issues of integrated and joint planning mechanisms to support not only the Somali Police Force but also the AMISOM police component. Basic training will also be delivered by the UNDP-trained Somali trainers at existing police academies in "Puntland" and in Mogadishu. Police officers in Mogadishu will receive training, advising and mentoring through the AMISOM Police component. The strategic coordination of these activities, liaison with donors and advice to the Somali police leadership will be provided jointly by the African Union and the United Nations. Technical advice and support on reactivation, training, restructuring and rebuilding will also be provided to AMISOM through the United Nations. UNDP (Somalia) has corrections and justice programmes on the ground and the funding to deliver improvement of infrastructure and to train prison and judicial officers. The prisons programme will focus initially on the Mogadishu and Baidoa area. The United Nations Mine Action Service would be able to provide support to the Somali police for the ongoing conduct of mine action and the development of national capabilities.

Recovery track

65. On the recovery track, programming under the United Nations Transition Plan is currently heavily concentrated in the more stable areas of "Somaliland" and "Puntland"; some activities have been undertaken in south central Somalia, including Mogadishu, and priority recovery programmes will be resumed when the situation permits and donors provide the requisite funding. On the basis of its recently updated security risk assessment, the United Nations country team is

currently finalizing new minimum operational security standards. These will detail risk mitigation measures geared towards a more resilient security posture, with the aim of sustaining an expanded United Nations presence and to facilitate delivery of priority programmes despite the current adverse security conditions. The United Nations Transition Plan is capable of expansion into south and central Somalia to deliver on key social services and livelihoods. A United Nations integrated strategic framework would be drafted by the joint planning unit of UNPOS and the United Nations country team to ensure coordination and coherence within an integrated strategic approach.

66. In respect of humanitarian delivery, existing programming will continue to use local and ad hoc mechanisms to reach populations in need. The role of AMISOM in humanitarian assistance should be limited to the creation of security conditions conducive to the provision of humanitarian assistance pursuant to Security Council resolution 1772 (2007). While preserving humanitarian space, it is hoped that the ongoing efforts of the Government to promote reconciliation will also gradually deliver improvements in access to populations in need and in security.

Assessment

67. This option, which represents a continuation of the strategy outlined in resolution 1863 (2009) and further developed through the recent technical assessment mission, represents a pragmatic approach. It demonstrates how, even under the current security conditions, the United Nations system can continue to engage in all the thematic areas that could, when possible, form part of a larger peacekeeping effort, on the basis of an integrated strategic approach and in partnership with the African Union, donors and Somalis. However, this approach has some significant limitations. Without an anchored presence on the ground, especially in Mogadishu, and with only limited visits, it relies heavily on engagement with Somalis from outside the country, potentially limiting support of the peace process that has relocated to Somalia itself. Issues of monitoring, accountability and oversight are also of concern, especially with respect to transitional security institutions. Overall, this is a valid option, but one which would require constant attention to ensure transparency and trust between Somali and international actors.

Staying the current course with a "light footprint" in Somalia (option C)

68. A third approach would seek to expand option B through the establishment of a "light footprint" in Mogadishu. This would involve the relocation of elements of UNPOS and the United Nations Support Office for AMISOM, as well as the United Nations country team. This approach would require further improvements in the security situation in Mogadishu, enhanced cooperation and support from AMISOM and a package of robust security measures as outlined above.

69. Under this option, all the activities listed under option B would continue, but supplemented by a small continuous and incremental presence of UNPOS and United Nations Support Office for AMISOM staff in Mogadishu. Depending on security conditions, the initial goal would be to relocate a limited number of key UNPOS/United Nations Support Office for AMISOM staff, whose main tasks would be to liaise regularly with AMISOM and Somali partners, including the Government

and the Joint Security Committee, in support of the strategy deriving from resolution 1863 (2009); to act as an information resource to permit a better understanding of the needs on the ground; and to facilitate more effective delivery and oversight of political and security assistance provided through the United Nations in addition to tasks covered under option B.

70. The "light footprint" approach could commence with operations in the AMISOM-controlled area, and may be expanded or reduced depending on the evolving security situation on the ground. For the establishment of a United Nations presence in Mogadishu, it would be necessary to make a substantial investment in the security infrastructure, including the construction of secure offices and accommodation on site, achieving reliable medical support and the deployment of high-standard armoured vehicles and other equipment. As long as Mogadishu remains in security phase V, United Nations international staff can be deployed only on mission status and would have to rotate in and out according to priority activities and specific requirements for delivery on the ground in their respective areas. Under existing United Nations security policies, a permanent regular assignment of United Nations international staff to Mogadishu would require the downgrading of the security phase from V to IV.

71. It is envisaged that the initial UNPOS/United Nations Support Office for AMISOM presence would be located separately from the existing United Nations agencies' facilities and remain structurally distinct from the activities of the humanitarian community and the United Nations country team. Humanitarian and recovery activity would therefore proceed along the same lines as in previous options, while coordination between UNPOS/United Nations Support Office for AMISOM and the United Nations country team would be anchored by the drafting of a United Nations integrated strategic framework through the joint planning unit as under option B.

72. The establishment of a "light footprint" would be implemented gradually, beginning with more regular visits by United Nations staff to Mogadishu. This would be followed by the development of a security concept for a small semi-permanent presence. At this stage, the most credible approach is likely to involve establishing a small UNPOS/United Nations Support Office for AMISOM within the envisaged AMISOM headquarters that would encompass both living and working accommodation for the United Nations unit. In the initial phase, security arrangements for the United Nations presence would rely heavily on AMISOM infrastructure, requiring implementation of the measures already envisaged in the United Nations logistics package.

Assessment

73. This is a prudent option, which strikes a balance between security concerns and the need for closer engagement with Somali actors in Mogadishu, allowing more effective planning, delivery and oversight of the strategy outlined in resolution 1863 (2009). It has the flexibility for expansion or reduction as conditions on the ground permit. A carefully calibrated and progressive implementation of this approach could eventually result in a structure reflecting many of the same capacities as those that would be present in a United Nations peacekeeping operation, but in a looser and more flexible configuration that avoids provoking negative reactions from spoilers.

74. This option represents a complex coordination challenge, but has the capacity to bring its own advantages of flexibility and core presence, including cost effectiveness and empowerment of the Somali actors. One drawback which should be recognized is that identifying United Nations substantive activities more closely with AMISOM, in particular co-location, could result in additional risks to United Nations personnel from insurgents opposed to the presence of AMISOM. A phased approach, allowing for full assessment of the risks and developing trust with local actors would therefore be critical, with particular attention to preserving the impartiality of humanitarian actors.

Engagement with no international security presence (option D)

75. Finally, given the risk of a possible degeneration of the fragile security situation, and divisions among Somali actors regarding the presence of AMISOM, the integrated mission planning process identified the need to plan for a scenario in which there may be no international security presence in Mogadishu. This could occur in a variety of circumstances, ranging from a decision of the African Union to withdraw AMISOM or a request from the Government for the African Union to wind AMISOM down, to a "worst-case scenario" whereby AMISOM would be forced to withdraw in the context of a serious deterioration in security.

76. In a scenario where AMISOM withdraws in the context of the ongoing peace process, the United Nations should continue to engage on the basis of the strategic objectives laid out above. In a best-case scenario, depending on the security situation and the state of development of the Somali security apparatus, UNPOS and the United Nations country team might be able to establish a presence in-country under arrangements agreed directly with the Government of Somalia. Priority areas of engagement would remain those laid out in previous options, including support to transition tasks and the development of governance and the rule of law.

77. However, it is more likely that the withdrawal of AMISOM would leave a security vacuum that would seriously challenge the delivery of certain United Nations programmes and objectives. This would certainly be true in a worst-case scenario where the departure of AMISOM was accompanied by increased violence. A United Nations presence in-country would then become untenable, necessitating a re-evaluation of programmes particularly in the area of support to Somali security institutions. Humanitarian operations would continue to be remote-controlled from Nairobi, but with challenges to access and limited capacity to monitor impact.

78. In a worst-case scenario, the approach of the United Nations should focus on containing the conflict; protecting essential humanitarian and human rights activity; and creating space to restore the peace process. The United Nations should (a) provide advice and logistic support to AMISOM evacuation if necessary; (b) formalize arrangements for a naval escort to protect World Food Programme vessels and other critical shipping; (c) review options for a multinational force and/or maritime task force to prevent escalation of the conflict and/or facilitate restoration of the peace process; (d) maintain human rights monitoring; and (e) explore options to improve the effectiveness of anti-piracy operations and reinforce the arms embargo.

79. Given this set of tasks, the option of a maritime task force set out in my letter dated 19 December 2008 remains relevant for a worst-case scenario. A United

Nations or multinational maritime task force could potentially be a valuable approach to support evacuation or emergency assistance to AMISOM and any United Nations elements located in Mogadishu; protect humanitarian assistance; and host a small landing force, capable of securing small locations on a temporary basis in support of the peace process.

Assessment

80. This option represents a response to difficult circumstances and not a preferred state of affairs. In this setting, the strategy set out in resolution 1863 (2009) would be rendered moot and further guidance would be sought from the Security Council. However, the outline above provides an indication of the scope for continued engagement, including supporting or restoring the peace process and ensuring that emergency needs continue to be met through an integrated approach on the part of the United Nations.

V. Observations

81. The present political progress and opportunities for peace in Somalia are real and have been hard won. They deserve the international community's thoughtful, generous and sustained support. As the Security Council considers its responsibilities and the United Nations scope for action, it is essential to explore all options and make a sober judgement about the best way to help the people of Somalia, who have lived under the scourge of war for some 20 years to build peace. It is also important to bear in mind lessons from previous United Nations peacekeeping experiences in Somalia and ensure that the Organization decides on the appropriate engagement this time.

82. In this regard, it is my assessment that, while the deployment of a multidimensional United Nations peacekeeping operation should remain the United Nations goal, realistically achieving that goal will require fulfilling the conditions set out earlier in this and my previous reports. For the present, I therefore recommend an incremental approach, whereby the United Nations would pursue its strategic objectives as set out in paragraphs 42 and 43 above, while continuing to work towards the deployment of a peacekeeping operation at the appropriate time.

83. The proposed approach would be taken in three phases: in the first phase, the United Nations would maintain its current engagement approved in Security Council resolution 1863 (2009), as set out in option B. This consists of support to AMISOM, support in building the Somali security institutions, and support for the political process and the recovery and humanitarian activities of the United Nations country team. During this phase, the relevant United Nations components would conduct frequent missions to Mogadishu and other accessible areas of Somalia to monitor implementation of the mandated activities. Progress in the implementation of this first phase would be assessed after three to four months.

84. If security conditions permit, the United Nations engagement would then be extended to the second phase, encompassing the activities set out in option C above. This would entail adding to the activities of the first phase a light United Nations footprint in Mogadishu consisting of elements from UNPOS, to support the political process on the ground; the Department of Field Support, to oversee delivery of the

AMISOM support package; and the United Nations country team, to oversee delivery of humanitarian assistance, and recovery and development projects.

85. These two phases would be considered as transitional steps, which allow time to fully implement the planned support package to AMISOM, assess the progress of the efforts of the Transitional Federal Government to build security and develop its own security institutions, and gauge the acceptability of a United Nations presence in Mogadishu. Like the first phase, the second phase would also be assessed three to four months after the commencement of its implementation, at which time the Security Council would review the United Nations role and decide whether the conditions and timing are conducive to a shift to the final phase, in which a United Nations peacekeeping operation could be established to take over from AMISOM, as set out in option A.

86. In addition, throughout the three phases, it will be important to have in place a contingency plan for continuing United Nations engagement under the scenarios described in option D, where there could be a possible degeneration of the security situation that would make it untenable to establish and retain an international presence in Mogadishu.

87. This is a prudent, carefully calibrated and flexible approach which enables the United Nations to gauge the acceptability, sustainability and effectiveness of the progressive establishment of an expanding United Nations presence and place emphasis on building the capacity of Somalia's security institutions and support to AMISOM. It also allows the United Nations to pursue all options (A, B and C) at the appropriate time, circumstances and conditions permitting. The first two phases will allow the United Nations the flexibility to expand or reduce its engagement as needs and conditions on the ground demand.

88. The success of this approach, however, hinges on continuing United Nations support for AMISOM, investment by Member States in supporting the effective development of Somalia's security institutions and the necessary security infrastructure to establish the envisaged United Nations presence. More importantly, it would also depend on the continuing cooperation of the Government of Somalia and its full and inclusive engagement in the peace process. Building a Somali National Security Force and a police force that are capable of taking over responsibility for security in the country is the central aspect of this strategy. The recommended approach thus places emphasis on Somali ownership and capacity-building. At the same time, it acknowledges that the peace process is at a fluid stage and that all options must remain on the table.

89. The effective and multifaceted reconciliation efforts initiated by President Sheikh Sharif Sheikh Ahmed and the Transitional Federal Government, while attracting concrete support from the Somali population, have also brought about counter- and negative actions, including increased attacks and attempts at political destabilization. Those negative actions were, to some degree, anticipated and it is unlikely that there will be a fully inclusive process in the short term. Inevitably, some minority groups will continue to pursue a hard-line stance and refuse any offers of peaceful reconciliation. It is important that these groups are not allowed to prevent further progress from being made.

90. For the Transitional Federal Government to be able to sustain its reconciliation efforts and extend its authority on the ground, it needs support from the

international community that allows it to carry forward its ongoing political negotiations and reconciliation efforts from a position of strength. It needs to be able to show to the Somali population the benefits of supporting the process, including the creation of livelihoods for the population, the provision of basic services, the establishment of a more effective and increasing revenue stream, and the rebuilding of its institutions and infrastructure.

91. The efforts of the Transitional Federal Government to achieve these goals must be underpinned by the development of an effective and progressive security sector firmly committed to the rule of law. At the same time, United Nations and bilateral support to AMISOM should be maintained in a substantive and predictable manner to allow time and space to build Somalia's security sector, and for the Transitional Federal Government to effectively establish its authority.

92. I applaud and pay tribute to the dedication and courage of AMISOM troops who are playing a vital role on the ground in very difficult conditions. It is essential to support them in discharging their functions, through full deployment of the United Nations package, the United Nations Trust Fund and bilateral assistance. Assistance is also required to support the Government in developing its own security forces and civilian police within a rule of law framework. I urge Member States to recall that support to these activities is a critical element of the strategy set out in resolution 1863 (2009), and encourage them to contribute generously at the donors' conference scheduled for 23 April in Brussels.

93. In the meantime, I remain deeply concerned at the worsening humanitarian situation in Somalia, and at the underfunding of life-saving humanitarian assistance. The safe provision of humanitarian aid is and will remain a priority alongside efforts aimed at peace, security and institutional reform. I urge Member States to come forward with additional pledges to the consolidated appeal for Somalia that will enable the United Nations and its partners to deliver much-needed assistance to populations trapped in a deadly constellation of conflict, drought and economic crisis. I also urge Member States to fund priority recovery programmes in the United Nations Transition Plan to ensure that the Somali population at large reaps the benefits of peace.

94. Finally, I would like to express my deep appreciation to my Special Representative, Ahmedou Ould Abdallah, who continues to work tirelessly to advance the cause of peace and reconciliation among the people of Somalia. I commend the efforts of United Nations agencies and non-governmental organizations which, despite the volatile security situation and the targeted killing and kidnapping of their staff, continue the struggle to provide shelter, water, food and medical assistance to hundreds of thousands in need. I pay tribute to all personnel, both international and national staff, for the important work they continue to carry out in Somalia in the interests of peace. I call on the Somali people and Member States to continue rendering my Special Representative their unwavering support and cooperation.